Te Kaunihera o Te Hiku o te Ika
Far North District Council

Office Use Only
Application Number:

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☑ **Yes** ○ **No**

2. Type of Consent being applied for

(more than one circle can be ticked):

- ☑ **Land Use**
- ○ **Fast Track Land Use***
- ○ **Subdivision**
- ○ **Consent under National Environmental Standard** (e.g. Assessing and Managing Contaminants in Soil)
- ○ **Discharge**
- ○ **Change of Consent Notice (s.221(3))**
- ○ **Extension of time (s.125)**
- ○ **Other (please specify)** _____

** The fast track is for simple land use consents and is restricted to consents with a controlled activity status.*

3. Would you like to opt out of the Fast Track Process?

☑ **Yes** ○ **No**

4. Consultation

Have you consulted with Iwi/Hapū? ○ **Yes** ☑ **No**

If yes, which groups have you consulted with?	
Who else have you consulted with?	

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council tehonosupport@fndc.govt.nz

5. Applicant Details

Name/s: Rosina Tomes

Email: [redacted]

Phone number:

Postal address:
(or alternative method of service under section 352 of the act)

6. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s: Northland Planning and Development 2020 Limited c/o Rochelle Jacobs

Email: [redacted]

Phone number:

Postal address:
(or alternative method of service under section 352 of the act)

** All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.*

7. Details of Property Owner/s and Occupier/s

Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s: ~~Lindsay and~~ Robin MacDiarmid and Lindsay Hart-macDiarmid

Property Address/ Location:
23 Waipapa West Road
Kerikeri

Postcode 0295

8. Application Site Details

Location and/or property street address of the proposed activity:

Name/s: Rosina Tomes

Site Address/ Location: 23 Waipapa West Road
Kerikeri

Postcode 0295

Legal Description: Lot 2 DP 187111 **Val Number:**

Certificate of title: NA 117B / 375

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ◯ **Yes** ✔ **No**

Is there a dog on the property? ✔ **Yes** ◯ **No**

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

Please ensure a prior appointment is organised - phone Rosina on 021 2134033

9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Proposed transportable minor residential unit breaching setback from boundaries, sunlight. Discretionary Activity overall for a change to a consent notice condition limiting the site to one residential unit.
RMASUB RC 1970200

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons for requesting them.

10. Would you like to request Public Notification?

◯ **Yes** ✔ **No**

11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

- (✔) **Building Consent** Enter BC ref # here (if known)
- ( ) **Regional Council Consent (ref # if known)** Ref # here (if known)
- ( ) **National Environmental Standard consent** Consent here (if known)
- ( ) **Other (please specify)** Specify 'other' here

12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) ( ) **Yes** (✔) **No** ( ) **Don't know**

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. ( ) **Yes** (✔) **No** ( ) **Don't know**

- ( ) **Subdividing land**
- ( ) **Changing the use of a piece of land**
- ( ) **Disturbing, removing or sampling soil**
- ( ) **Removing or replacing a fuel storage system**

13. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.

Your AEE is attached to this application (✔) **Yes**

13. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? (●) **Yes** ( ) **No**

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? (✔) **Yes** ( ) **No**

14. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write in full) Rosina Tomes

Email: [redacted]

Phone number: [redacted]

Postal address:
(or alternative method of service under section 352 of the act) [redacted]

Fees Information
An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees
I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: (please write in full) Rosina Tomes

Signature:
(signature of bill payer [redacted]

Date 15-Apr-2025

MANDATORY

15. Important Information:

Note to applicant
You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.
You may apply for 2 or more resource consents that are needed for the same activity on the same form.
You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.
A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:
Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

15. Important information continued...

Declaration

The information I have supplied with this application is true and complete to the best of my knowledge.

Name: (please write in full) Rochelle Jacobs

Signature: [redacted] Date 09-Apr-2025

...uired if the application is made by electronic means

Checklist (please tick if information is provided)

- ☑ Payment (cheques payable to Far North District Council)
- ☑ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ Details of your consultation with Iwi and hapū
- ☑ Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- ☑ Applicant / Agent / Property Owner / Bill Payer details provided
- ☑ Location of property and description of proposal
- ☑ Assessment of Environmental Effects
- ☑ Written Approvals / correspondence from consulted parties
- ☑ Reports from technical experts (if required)
- ☑ Copies of other relevant consents associated with this application
- ☑ Location and Site plans (land use) AND/OR
- ☐ Location and Scheme Plan (subdivision)
- ☑ Elevations / Floor plans
- ☐ Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

Land-Use Consent for

Rosina Tomes

23 Waipapa West Road, Kerikeri

Date: 28 April 2025

Attention: Liz Searle & Whitney Peat

Please find attached:

- an application form for a Land-use Resource Consent to permanently locate a transportable minor residential unit on the site; and
- an Assessment of Environmental Effects of the potential and actual effects of the proposal on the environment.

This application is for retrospective resource consent to locate a transportable 48m^2 minor residential unit (MRU) on a site at 23 Waipapa West Road, Kerikeri. The MRU is defined as an independent residential unit under the Operative Far North District Plan because it contains cooking and dishwashing facilities. There is an existing consent notice condition on the land title that restricts the number of residential units on the site to one. The MRU, adjacent shed and retaining walls have been located within the 10m Rural Production Zone building setback from the boundary and parts of the shed building breach sunlight controls.

The application proposes a variation to the consent notice condition to enable the permanent location of a minor residential unit on the site that would otherwise be a controlled activity in the Rural Production Zone. Under Section 127 (and Section 221(3)) of the Resource Management Act, an application to vary a consent notice condition is a **Discretionary Activity**. The proposal is a **Permitted Activity** under the Proposed District Plan (PDP) rules that have immediate legal effect.

If you require further information, please do not hesitate to contact me.

Regards,

Rochelle Jacobs
Director/Senior Planner
NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

Contents

1. DESCRIPTION OF THE PROPOSED ACTIVITY 4
2. DESCRIPTION OF THE SITE AND SURROUNDING ENVIRONMENT 5
3. BACKGROUND 9
RECENT DISCUSSIONS WITH COUNCIL 11
4. REASONS FOR CONSENT 12
OPERATIVE NORTH DISTRICT PLAN (ODP) 12
RURAL PRODUCTION ZONE STANDARDS 12
APPLICABLE DISTRICT WIDE STANDARDS 13
ODP ACTIVITY STATUS 15
CONSENT NOTICE D321395.2 15
PROPOSED DISTRICT PLAN (PDP) 15
PDP ACTIVITY STATUS 18
CONTROL OF EARTHWORKS BYLAW 18
NATIONAL ENVIRONMENTAL STANDARDS 19
NATIONAL ENVIRONMENT STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (NESCS) 19
NATIONAL ENVIRONMENT STANDARD FOR FRESHWATER REGULATIONS 2020 (NES-F) 19
5. STATUTORY ASSESSMENT UNDER THE RESOURCE MANAGEMENT ACT (RMA) 19
SECTION 104B OF THE RMA 19
SECTION 104(1) OF THE RMA 19
SECTION 104(1)(A) - ASSESSMENT OF EFFECTS ON THE ENVIRONMENT 21
RESIDENTIAL ACTIVITY – MINOR RESIDENTIAL UNIT 21
EFFECTS ON HIGHLY PRODUCTIVE LAND 22
SECTION 104(1)(B) – RELEVANT PROVISIONS OF ANY STATUTORY PLANNING DOCUMENT 23
NATIONAL ENVIRONMENTAL STANDARDS AND REGULATIONS (SECTION 104(1)(B)(I) & (2) 23
NATIONAL POLICY STATEMENTS (SECTION 104(1)(B)(III) 24
FAR NORTH DISTRICT PLAN (ODP) 25
PROPOSED FAR NORTH DISTRICT PLAN 2022 (PDP) 27
6. NOTIFICATION ASSESSMENT 28
7. CONCLUSION 29
8. LIMITATIONS 29

Attachments:

1. **FNDC Application Form**
2. **Record of Title & Easement Instruments –** *LINZ*
3. **Landowner Statement of Approval** – *Lindsay and Robin MacDiarmid*
4. **Application Plans –** *Dalton Design / Compac Homes*
5. **Wastewater Report** - *JAS Civil Ltd*
6. **Soils Report -** *Ian Hanmore*
7. **RC 10970200 - RMASUB** – *FNDC decision*
8. **Written Approval** - *Scott and Joni Pickens – 13 Waipapa West Road*
9. **Email correspondence** - *Department of Conservation*
10. **HAIL PSI Report** - *Bay Ecological Consultancy Ltd*
11. **Control of Earthworks Permit**
12. **CDM Notes Sept 24 –** *FNDC*

Assessment of Environment Effects Report

1. Description of the Proposed Activity

1.1. The Applicant, Ms Rosina Tomes seeks a retrospective land use consent to permanently locate a transportable minor residential unit (MRU) onto a rural residential site at 23 Waipapa West Road, Kerikeri that is owned by Lindsay Hart-MacDiarmid and Robin MacDiarmid. The MRU would be owned and occupied by Ms Tomes. A statement from the owners agreeing to the location of the MRU is attached at **Appendix 3.**

1.2. The proposed MRU has a gross floor area of 48m^2. As shown on the site plan attached at **Appendix 4**, the MRU is located on a purpose-built gravel platform within the driveway area adjacent to and approximately 18m from the principal dwelling. Retaining walls have been constructed at the southern and western end of the building. Due to surcharge and proximity to external boundaries, the retaining walls are likely to require building consent. Earthworks close to boundaries require an earthworks permit.

1.3. The MRU is a 4m wide x 12m long transportable unit on a trailer base foundation (refer ***Figure 2*** below). The unit contains a single bedroom, open plan living kitchen and bathroom. The MRU shares laundry facilities located in the main dwelling. A copy of the Compac Homes floor plan is attached at **Appendix 4.**

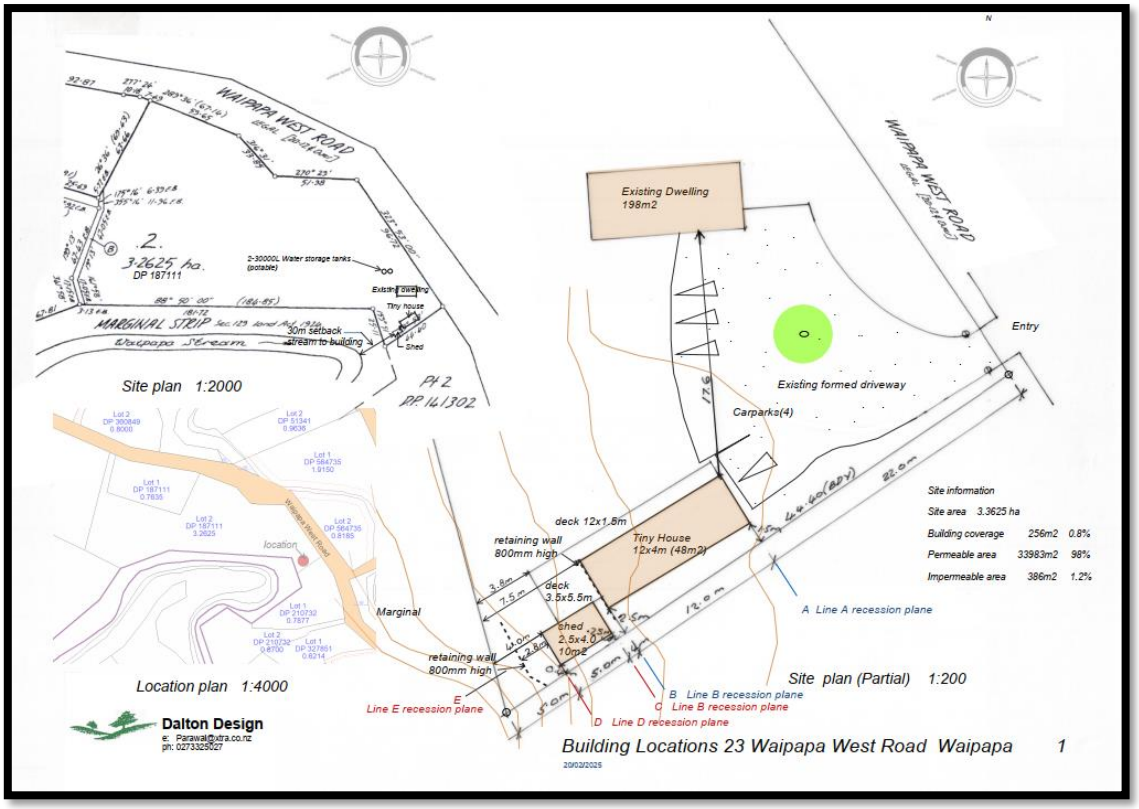


Figure 1 – Site Layout Plan

Figure 2 –MRU (designed by COMPAC Homes) on-site

1.4. Vehicle access to the MRU and designated carpark is from the existing vehicle crossing and driveway. No garage or carport building is proposed.

1.5. The MRU when combined with the existing residential and accessory shed building covering the site would total 256m^2 or 0.8% of the 3.3-hectare site area. As the MRU has been located on the existing metal driveway area there is only a minor increase in impermeable surface at the western end where the shed has been located. The total area of impermeable surface is 386m^2 or 1.2% of the site area.

1.6. Roof water runoff from the MRU is to be discharged to ground at the rear of the unit. The MRU includes a composting toilet and a separate greywater system that includes a 76m^2 disposal field located more than 30m from the nearby Waipapa Stream. The location of the disposal field is illustrated on the 'system layout' plan attached to the JAS Civil Wastewater Design Report attached at **Appendix 5**.

2. Description of the Site and Surrounding Environment

2.1. The application site is located at 23 Waipapa West Road, Kerikeri. The site is within the Rural Production Zone (RPZ) under the Operative District Plan (ODP) and the Horticulture Special Purpose Zone in the Proposed District Plan (PDP). The site is legally described as Lot 2 DP 187111. The immediately surrounding area is a mixed rural environment that is rural lifestyle, horticulture and pastoral activity. Immediately opposite the site is the Precision Concrete commercial building site.

Figure 3 – Application site - Lot 2 DP 187111 and surrounds

2.2. Rural lifestyle subdivision has been occurring in this area since the early 2000's and was a characteristic the reporting planner commented on when the subdivision that created the application site was approved under 1970200 RMASUB[1]. Immediately surrounding site sizes vary between 7,000m^2 to 5 hectares.

2.3. The application site has an irregular 3.3-hectare shape that contains a single dwelling located at its' eastern end. Vehicle access to the site is from the existing crossing on Waipapa West Road. There is a short section of gravel driveway that includes a vehicle circulation area on the southern side of the house. The road boundary and existing house are well screened with mature shrubs and trees. No buildings are visible from the road. Planted screening of road boundaries is a feature of Waipapa West Road where very few buildings or land use activities are visible.

2.4. The site is a rural lifestyle property that contains a mix of residential buildings, pasture areas, covenanted protected bush and a former macadamia orchard. Topographically, the site is divided east and west by a steep gully that is within the pasture area to the west of the house. The Waipapa River and adjacent DOC marginal strip runs adjacent to the southern boundary.

2.5. As mapped by the NZLRI Land Use Capability Map, the existing soil types are a mix of 4e2 and 3e1. (refer ***Figures 3*** and ***4*** below). The MRU has been located within the existing house site curtilage area.

[1] 1970200 RMASUB - FNDC Planners Report [p15]

Figure 4 - NZLRI LUC 3e1 – northern eastern part of 23 Waipapa West Road (source Far North Maps)

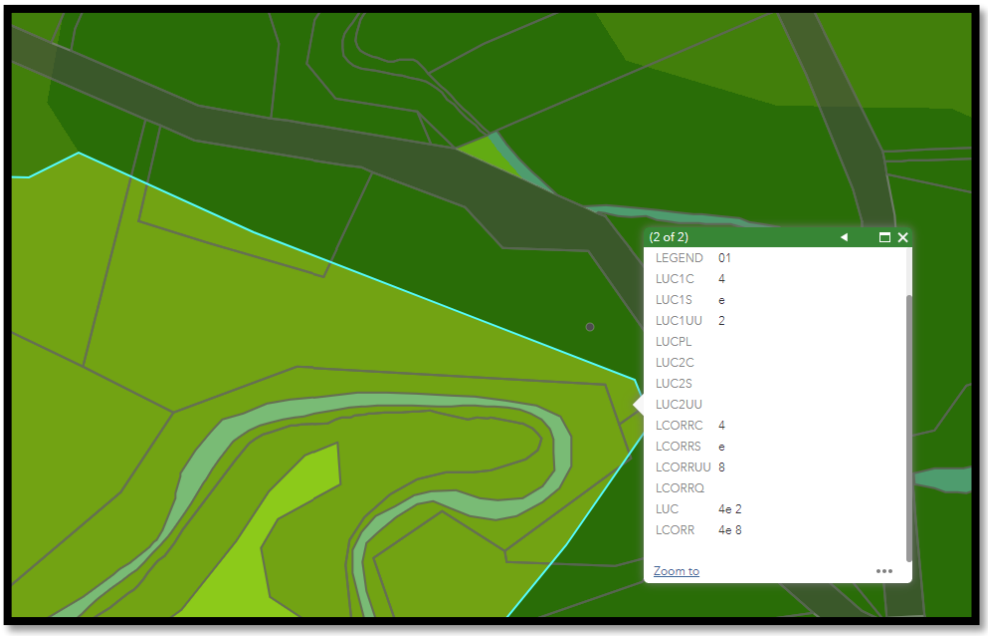


Figure 5 – NZLRI LUC 4e2 - southern part of 23 Waipapa West Road (source Far North Maps)

2.6. In accordance with Clause 3.5(7) of the National Policy Statement for Highly Productive Land (NPS HPL), the identified LUC soil types 3s2 and 3e1 are mapped as highly productive land.

2.7. While recent caselaw[2] states that in the absence of regional mapping a site-specific soil assessment cannot replace the NZLRI maps, soil mapping of the site was undertaken as part of a previous subdivision application (refer ***Figure 6*** below). The soil report prepared by Mr Ian Hanmore, concluded that the useable area of highly productive land on the site is less than the

[2] Blue Grass Ltd v Dunedin City Council [2024] NZEnvC 83

NZLRI map suggests. This information remains relevant in relation to ODP policies that protect the life-supporting capacity of soils[3] and when assessing effects of the proposed MRU on those soils.

2.8. The central part of the site is mostly covered in vegetation of which the western area is native vegetation protected by a land covenant. Small slivers of highly productive land include the western entranceway and the northern perimeter adjacent to the neighbours' site and the former macadamia orchard. There is some productive land in the lower southern part of the site. The eastern corner of the site is mapped as residential and is an area that contains the existing house and its curtilage area. A copy of Mr Hanmore's soils report is attached at **Appendix 6**.

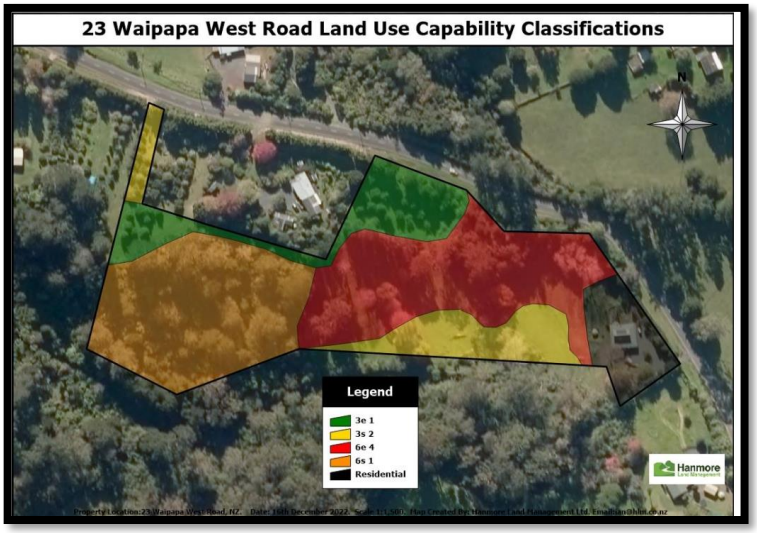


Figure 6 – LUC Site Assessment Map – 23 Waipapa West Road (prepared by Ian Hanmore)

2.9. The site is partially within the NRC mapped river flood hazard zones areas (10, 50 and 100-year extent).

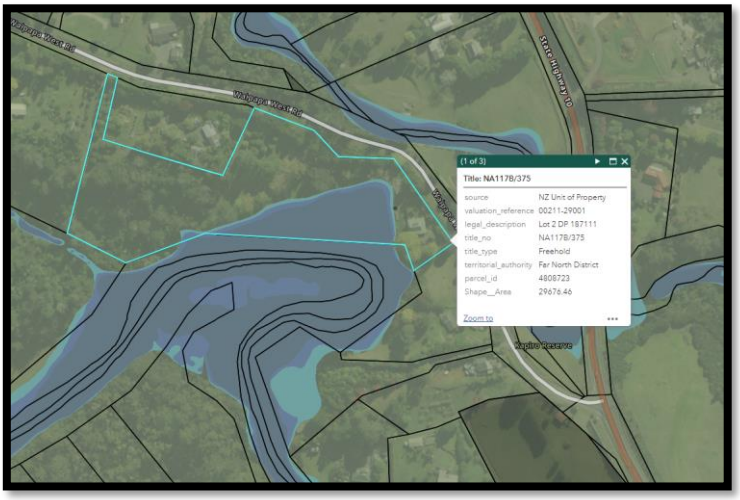


Figure 7 – NRC Flood Hazard Map – 23 Waipapa West Road

[3] Rural Objective 8.3.2, Policy 8.4.2,

2.10. Part of the site is HAIL based on historic widespread use of pesticides. A PSI / DSI investigation undertaken as part of an earlier subdivision application 2220849-RMASUB concluded that is highly unlikely that there is a risk to human health from the proposed use of the site for subdivision that would have included the addition of a second residence. As part of this report widespread testing was undertaken. A copy of the PSI HAIL report prepared by Bay Ecological Consultancy Ltd is attached at **Appendix 10**

3. Background

1970200-RMASUB

3.1. The application site was created by a two-lot subdivision consent (1970200-RMASUB) granted in January 1997. A copy of the consent decision is attached at **Appendix 7**. The subdivision application was described in the Council's decision report as *'a proposal to create a lifestyle block leaving a balance area which fails to meet the minimum lot size'.* The subdivision outcome was two sites being:

- Lot 1 – 7,635m^2 (the lifestyle block containing an existing dwelling)
- Lot 2 – 32,625m^2 (the balance block)

3.2. The larger Lot 2 balance block contained a bush area (Area A) that was subsequently surveyed and protected from vegetation clearance by consent notice condition 1 (refer Section 4 below). This site also included some pastoral areas and a former macadamia orchard that was described as 'not commercially viable'[4]. Both lots were subjected to consent notice conditions that restricted the keeping of cats, dogs and ferrets, and limiting the number of residential units to one per site.

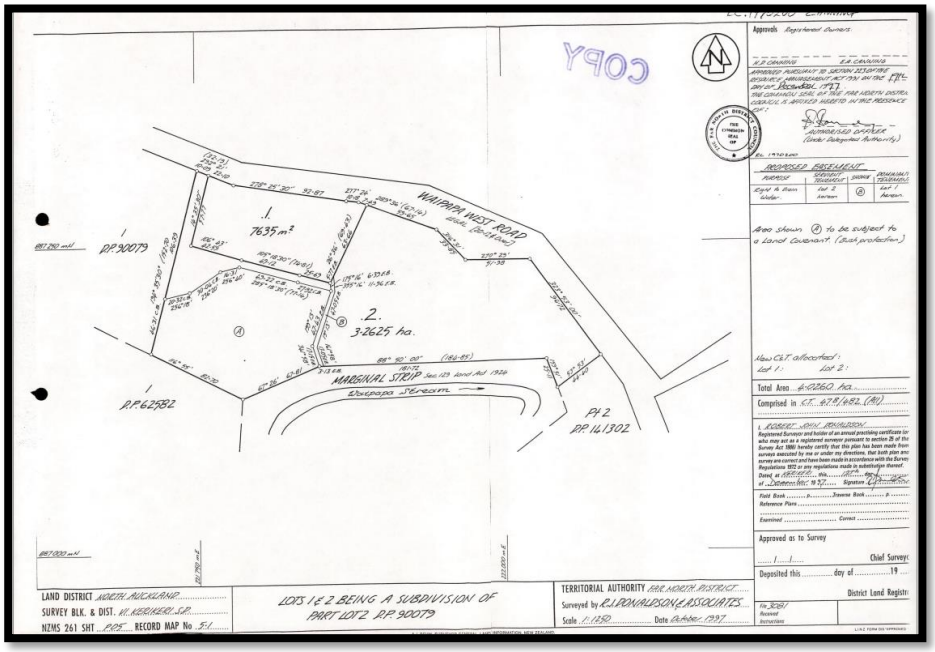
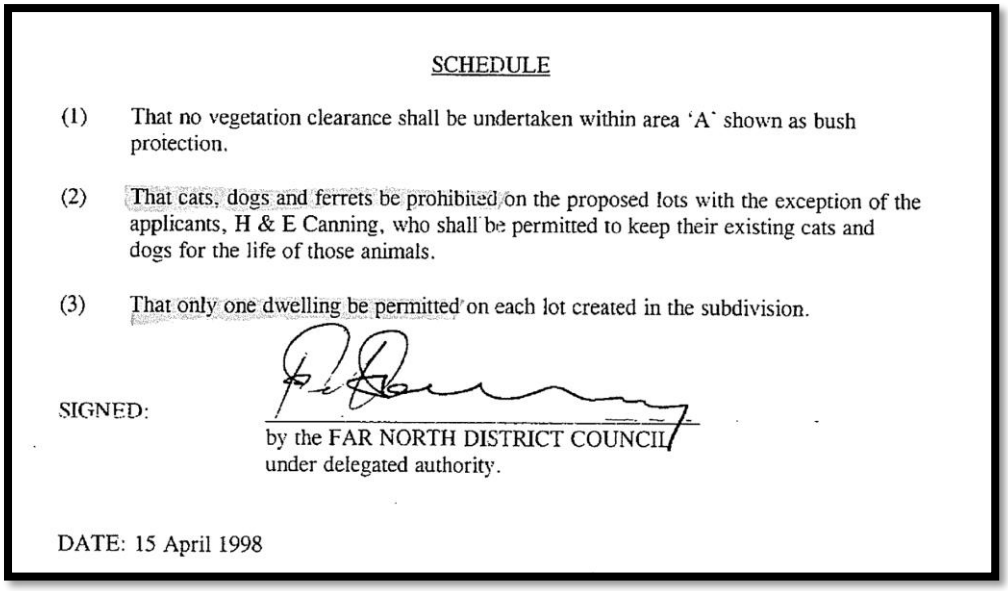


Figure 8 – Approved Subdivision Plan 1970200

[4] FNDC Decision Report – 1970200 RMA SUB [p4]



SCHEDULE

(1) That no vegetation clearance shall be undertaken within area 'A' shown as bush protection.

(2) That cats, dogs and ferrets be prohibited on the proposed lots with the exception of the applicants, H & E Canning, who shall be permitted to keep their existing cats and dogs for the life of those animals.

(3) That only one dwelling be permitted on each lot created in the subdivision.

SIGNED:

by the FAR NORTH DISTRICT COUNCIL
under delegated authority.

DATE: 15 April 1998

Figure 9 – Consent Notice Condition D321395.2

3.3. At the time, the publicly notified subdivision proposal was assessed as a non-complying activity under Far North District statutory plans including:

- Bay of Islands Section of the Transitional District Plan
- Proposed Plan Change No.4
- Proposed District Plan 1996

3.4. Proposed Plan Change 4, and the notified Proposed District Plan 1996 were never advanced beyond public notification. No submissions to the application were received. Six written approvals from adjoining neighbours' were provided. Comments from the Department of Conservation sought consent notice conditions requiring a dog and cat (and ferret) restriction.

3.5. The resource consent application contained a description of the land use situation at the site stating at best there was 4,000m^2 of plantable land on the ridge near the house, 8,000m^2 of steep contoured land in native bush, 4,000m^2 containing the dwelling and a remaining 2.5 hectares in undulating unplantable grassland.

3.6. At the time of the decision, the site was described by the Council's reporting planner as 'non-horticultural'. This is despite the 'elite soils' identification and the presence of the macadamia orchard. Reasons for granting consent included this statement and the stated opinion that the subdivision did not conflict with the Northland Regional Policy Statement. In terms of the site's productive capacity, it was deemed to be outside any of the earlier mapped horticultural units and more characteristic of a lifestyle property with some non-commercial orchard activities.

3.7. It is unclear from the Council's consent documentation as to why the consent notice condition restricting the site to one residential unit was imposed. Verbal feedback sought from the reporting officer suggested that a proliferation of worker accommodation units on rural

properties around Kerikeri was a factor and that Proposed Plan Change 4 was seeking to address some of that, however this plan change, and the then notified proposed plan were later abandoned as a result of 'can the plan'. The suggestion in the planners' report was that the contents of Proposed Plan Change No.4 aimed to *'tighten up loopholes and weaknesses within the existing rules as the Transitional Plan probably did not foresee the current demands for rural lifestyle lots'.*

3.8. Notwithstanding the above evolution of what eventually became the operative 2009 Far North District Plan, the current provisions provide for minor dwellings in the RPZ that meet the specified criteria as controlled activities. The proposed MRU meets all of the rule criteria in terms of size, access and proximity to the principal dwelling. Within the policy framework for the Rural Environment, there is an acceptance that the RPZ may contain a wide range of activities where adverse effects (including reverse sensitivity) can be avoided, remedied or mitigated. In this regard, the ODP anticipates and provides for the environmental effects associated with a limited amount of additional residential activity on a rural site located close to main dwellings as a type and scale of development that is consistent with the amenity and productive intent of the RPZ.

3.9. A second subdivision consent application (2220849-RMASUB) was applied for in June 2022. The subdivision sought to create one additional lot. This application was refused consent based on the size of lots being below that anticipated in the zone, the loss of productive potential and the proposal not being in accordance with the National Policy Statement on Highly Productive Land.

Recent Discussions with Council

3.10. In 2024 an initial Concept Development meeting was held with Swetha Maharj and the site owner Lindsay Hart-MacDiarmid. A follow up email was sent on the 24th September 2024 (***Appendix 12***) noting the main matters of consideration from Councils perspective. Following on from this initial meeting and email, a further meeting was held on the 1st October 2025 with Nick Williamson, Swetha Maharaj, Rochelle Jacobs and Lindsay Hart MacDiarmid. No follow up email was sent, however it was determined that a Minor Residential Unit would be sought, and clarified that when the consent notice was established it was via a consent that had no objections, only written approvals. Those written approvals did not include consideration of the consent notice as this was included as part of a council recommendation as discussed above.

4. Reasons for Consent

Operative North District Plan (ODP)

4.1. The site is zoned Rural Production in the ODP. There are no other applicable resource overlays.

Figure 10 - Operative District Plan Zone – Rural Production

4.2. An assessment of the relevant District Plan rule standards is set out in **Table 1** and **Table 2** below:

Rural Production Zone Standards

Table 1 - Assessment against the Rural Production Zone Rule Standards		
Plan Reference	**Rule**	**Performance of Proposal**
8.6.5.1.1	**Residential Intensity**	**Permitted.** There is one principal residential house building on the site.
8.6.5.1.2	**Sunlight**	**Restricted Discretionary Activity** The shed adjacent the MRU breaches the sunlight recession plan at its rear roof corners marked 'C' and 'D' on the building elevation plans [**Appendix 4**]
8.6.5.1.3	**Stormwater Management** (Permitted Standard is 15%)	**Permitted** The total amount of impermeable surfaces proposed within the site is 366m^2 or 1.2% of the gross site area.
8.6.5.1.4	**Setback from Boundaries**	**Restricted Discretionary Activity**

		The existing shed and MRU are located within the required 10m setback from the southern and western boundaries. Retaining walls that require building consent due to likely surcharge and proximity to the boundary are also within the required setback.
8.6.5.1.5	**Transportation**	**Refer District-wide Standards in Table below**
8.6.5.1.6	**Keeping of Animals**	**Not applicable.**
8.6.5.1.7	**Noise**	**Permitted** Residential activity can comply with the permitted standard.
8.6.5.1.8	**Building Height** (Max 12m)	**Permitted.** The height of the MRU building will comply with this standard.
8.6.5.1.9	**Helicopter Landing Area**	**Not applicable.**
8.6.5.1.10	**Building Coverage** (Max 12.5%)	**Permitted** The proposed building coverage is 256m^2 or 0.8% of the site area.
8.6.5.1.11	**Scale of Activities**	**Permitted** The proposal is for a minor residential activity.
8.6.5.2.3	**Minor Residential Unit**	**Controlled Activity** The proposal is for a MRU that meets the rule criteria as follows: • No more than one MRU on the site; • The site has a minimum net site area of 5,000m^2 (site area = 23,055m^2); • The MRU will share vehicle access with the principal dwelling; • The separation distance between the principal dwelling and the MRU is less than 30m.

Applicable District Wide Standards

Table 2 – Assessment against the relevant District Wide rule standards		
Plan Reference	**Rule**	**Performance of Proposal**
Chapter 12 – Natural and Physical Resources		
12.1	**Landscapes and Natural Features**	**Not applicable**

12.2	**Indigenous Flora and Fauna**	**Not applicable** There has been no removal of indigenous vegetation.
12.3	**Soils and Minerals**	
12.3.6.1.2 Soils & Minerals	**Excavation and/or filling**	**Permitted.** Minimal earthworks are required to establish a suitable flat area for the MRU which is on a transportable trailer.
12.4	**Natural Hazards**	**Not applicable**
12.4.6.1.2	**Fire Risk to Residential Units**	**Permitted** The MRU is not within close proximity to any areas of bush greater than 500m2.
12.5	**Heritage**	**Not applicable**
12.6	**Air**	**Not applicable**
12.7	**Lakes, Rivers, Wetlands and the Coastline**	
12.7.6.1.1	**Setback From Lakes, Rivers and the Coastal Marine Area** *30m setback*	**Discretionary Activity** As per the Wastewater disposal report the effluent disposal field will be located 30m from the Waipapa Stream. The proposed MRU and the shed will be located outside of the 30m setback. The 800mm lower retaining wall will be defined as a building as it has been built right up to the site boundary with the neighbour. This is located just within the 30m setback such that consent is triggered as a technicality.
12.8	**Hazardous Substances**	**Not applicable**
12.9	**Renewable Energy and Energy Efficiency**	**Not applicable**
Chapter 15 - Transportation		
15.1.6A	**Traffic Intensity**	**Permitted** The proposal is for a MRU on a rural-residential site. The permitted

		traffic intensity thresholds are met.
15.1.6B	**Parking**	**Permitted** Sufficient on-site carparking is provided for both the principal dwelling and the MRU.
15.1.6C	**Access**	**Permitted** Vehicle access to the site is from the existing eastern vehicle crossing and driveway.

ODP Activity Status

4.3. The proposal is assessed to be a **Controlled Activity** for a minor residential unit in the Rural Production Zone under Rule 8.6.5.2.3 of the ODP. Breaches to the sunlight [Rule 8.6.5.1.2] and building setback [Rule 8.6.5.1.4] are a **Restricted Discretionary Activity** and a technical infringement for the retaining wall being within the 30m setback from the stream [Rule 12.7.6.1.1] is a **Discretionary Activity**.

4.4. Overall, when bundled, the application under the Operative District Plan is a Discretionary activity.

Consent Notice D321395.2

4.5. Consent notice D321395.2 condition (3) restricts the number of dwellings on the site to one. The ODP defines a residential unit or dwelling as:

> *'A building, a room or a group of rooms, used, designed or intended to be used by one or more persons as a self-contained single, independent and separate household. Any accessory building providing sleeping accommodation and bathroom facilities but no cooking or dishwashing or laundry facilities will be treated as forming part of a residential unit / dwelling.'*

4.6. As a building (regardless of size) intended for independent residential living, the proposed MRU would fall within the above definition and is therefore subject to the consent notice restriction. To locate a second 'dwelling' on the site, a variation under RMA Section 221(3) to the consent notice is required. A variation to the consent notice is a **Discretionary Activity** under Section 127(3)(a) of the RMA.

4.7. The application insofar as the RMA is a **Discretionary Activity**.

Proposed District Plan (PDP)

4.8. The proposed activity is subject to PDP rules that have immediate legal effect. The PDP was publicly notified on the 27th of July 2022. The submission and further submission periods have closed. PDP hearings commenced in May 2024. As no decisions on submissions have been made, little assessment weight is given to the proposed provisions. The proposed Rural, Horticulture and Horticulture Processing Zone provisions were the subject of a recent PDP hearing that provided an officer's response and recommendation to public submissions,

however there is no Hearings Panel decision on those recommendations. Zoning hearings have yet to be heard.

4.9. The proposed site zone is Horticulture Special Purpose Zone. The southern central part of the site is within the 1% and 10% Waipapa Stream river flood hazard zones. There are no applicable rules that have legal effect.

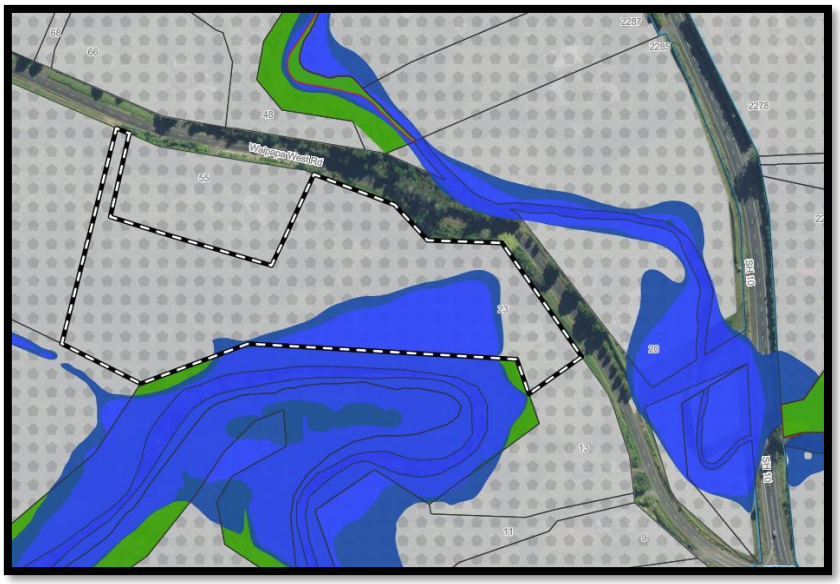


Figure 11 - Proposed District Plan Zone – Horticulture (Special) Zone

4.10. An assessment of the proposed activities against the PDP rules that have immediate legal effect, is set out in **Table 3** below:

Table 3 – Assessment against the PDP rule standards that have immediate legal effect

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	**Not applicable.** The site does not contain any hazardous substances nor are any proposed.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	**Not applicable.** The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10).	**Not applicable.**

	Schedule 2 has immediate legal effect.	The site does not contain any areas of Historic Heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	**Not applicable.** The site does not contain any notable trees.
Sites and Areas of Significance to Maori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect	**Not applicable.** The site does not contain any sites or areas of significance to Maori.
Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	**Not applicable.** The site does not contain any known ecosystems or indigenous biodiversity to which these rules would apply.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	**Not applicable.** The proposal is not for subdivision.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	**Not applicable.** The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	**Permitted.** All earthworks in all zones are subject to Accidental Discovery Protocol standards EW-S3 and sediment control standards EW-S5 The minor volume of proposed earthworks is undertaken in accordance with these standards.
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	**Not applicable.**
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	**Not applicable.**

PDP Activity Status

4.11. The proposal is assessed to be a **Permitted Activity** under PDP rules that have immediate legal effect.

Control of Earthworks Bylaw

4.12. As per the assessment above, no resource consents are required for earthworks within the RPZ. An earthworks permit is required earthworks within 3 metres of a site boundary.

ASSESSMENT OF THE APPLICABLE CONTROL OF EARTHWORKS RULES:		
PERFORMANCE STANDARDS		
Bylaw Reference	**Rule**	**Performance of Proposal**
7.1	**(a)**	**Permit Required** Earthworks to construct a suitable retained building platform for the MRU and shed have been undertaken within 3 metres of the southern boundary.
	(b)	**Complies** The works are within the Rural Production Zone
	(c)	**Complies** The excavation site does not exceed 1.5m
	(d)	**Complies** The earthworks area is outside of any resource features.
	(e)	**Complies** Stormwater runoff will not be affected to the extent that it will adversely affect any adjoining property.

4.13. Section 12.1 of the Control of Earthworks Bylaw stipulates that *'The Council may, in its absolute discretion, exempt an owner or occupier from a requirement to obtain a permit under clause 7.1, provided that an application for an exemption is made in writing and accompanied by the payment of any required application and processing fees in accordance with Council's Fees and Charges Schedule. No exemption will be valid unless it is given to the applicant by the Council in writing.'*

4.14. The applicant is seeking that the earthworks component of this activity which requires an earthworks permit be assessed as part of this resource consent application. Earthworks activities are integral to the proposed development of the site, and in the absence of a resource consent trigger in the Rural Production Zone, it will enable simultaneous

consideration of the potential effects that are normally managed under the Council bylaw. Costs associated with providing for the exemption will be covered by the resource consent process and keeping all the consent conditions together in one document ensures transparency in terms of future compliance. In this instance an exemption makes sense. We ask that this be conveyed by way of advice note on the resource consent decision.

National Environmental Standards

National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

4.15. The Far North District Council has not mapped the site as a HAIL site. The proposal is for a minor residential unit on the site adjacent to the existing house and within an area that is already developed for residential activity. No subdivision is proposed. An increase in residential intensity on the site is proposed. Minor retained earthworks are required to establish the flat site for the MRU trailer that will not exceed the NESCS soil disturbance threshold for the site. The proposed change of use is a permitted activity under NESCS Regulation 8((4). [Refer to PSI Report Appendix 10].

National Environment Standard for Freshwater Regulations 2020 (NES-F)

4.16. The proposed activity would not affect any wetland on the site that is protected by the NES-F.

5. Statutory Assessment under the Resource Management Act (RMA)

Section 104B of the RMA

5.1. Section 104B governs the determination of applications for Discretionary Activities. A consent authority may grant or refuse consent to the application and may impose conditions on the consent under Section 108. For Discretionary Activities, the Council has broad discretion to consider all policy matters under all of the relevant statutory policy statements, environmental standards, regulations, plans and proposed plans.

Section 104(1) of the RMA

5.2. The relevant parts of Section 104(1) of the RMA state that when considering an application for resource consent –

"the consent authority must, subject to Part 2, and section 77M have regard to –

(a) any actual and potential effects on the environment of allowing the activity; and

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and

(b) any relevant provisions of –

i. a national environmental standard:

ii. other regulations:

iii. a national policy statement:

iv. a New Zealand Coastal Policy Statement:

v. a regional policy statement or proposed regional policy statement:

vi. a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application."

5.3. Actual and potential effects arising from the proposed activity as described in 104(1)(a) can be both positive and adverse (as described in Section 3 of the Act). Positive effects arising from this development are the addition of an MRU that will enable additional living opportunities on the site. This is in line with the intent of the operative RPZ policy, which is to enable rural activities alongside a wide range of other activities, where adverse effects on the environment arising from those activities, including any reverse sensitivity effects can be avoided, remedied or mitigated, and where the productive intent of the zone is protected[5]. The limited expansion of residential accommodation capacity in the rural environment contributes positively to overall housing supply in the district, particularly where it is consolidated around existing house sites, in areas that will not increase the risk of reverse sensitivity to permitted rural activities and where they would have no effect on existing productive capacity of rural land. The surrounding environment at this end of Waipapa West Road has a mixed rural character that includes rural lifestyle, commercial and horticulture activity.

5.4. Section 104(1)(ab) requires that the consent authority consider *'any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity'*. The proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. Ordinarily MRU's are provided for in the RPZ as controlled activities, subject to achieving the specified rule criteria that are met by this proposal. The matters over which the Council has restricted its control are met insofar as the location of the MRU relative to the principal dwelling, the site size, shared access and services, and its visibility from the road and any neighbouring properties.

5.5. Section 104(1)(b) requires that the consent authority consider the relevant provisions of national environmental standards, regulations, national policy statements, regional policy statements or plans, including proposed plans. There are no national standards or regulations that are directly relevant to the proposed activities and / or that are not adequately managed within the framework hierarchy of the District Plan.

5.6. There are no national policy statements other than the NPS-HPL that are directly relevant to the assessment of this application. The National Policy Statement for Indigenous Biodiversity (NPS-IB) provides high level policy guidance for the protection of land based indigenous vegetation. However, the proposed MRU does not require the removal of any native vegetation on the site,

[5] ODP – Policy 8.6.4.1

which is also protected by a consent notice condition. Similarly, kiwi habitat protection is provided for by an existing consent notice condition that restricts the keeping of cats, dogs and ferrets.

5.7. An assessment of the relevant statutory documents is provided in the sections below.

5.8. Section 104(1)(c) states that consideration must be given to *'any other matters that the consent authority considers relevant and reasonably necessary to determine the application.'* There are no other matters relevant to this application.

5.9. In accordance with Section 104(6), adequate information is provided to determine this application.

Section 104(1)(a) - Assessment of Effects on the Environment

5.10. Having reviewed the relevant plan provisions and taking into account the matters to be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the RMA, the matters over which the Council has discretion are discussed in the following paragraphs.

Residential Activity – Minor Residential Unit

5.11. Notwithstanding its Discretionary Activity status, the proposed MRU is able to meet all of the ODP minimum site size, building size, location and access requirements for a MRU in the RPZ. The MRU is a subsidiary building on the site that is constructed in materials and colours that complement the principal dwelling.

5.12. Rule 8.6.5.2.3 states that when considering an application under this provision, the council will restrict the exercise of its control to the following matters:

(i) The extent of the separation between the principal dwelling and the minor residential unit;

The MRU will be located 17.6m from the principal dwelling. This distance provides practical separation from the main house and retains the existing carparking and vehicle circulation areas. The MRU location enables an adjacent area of land suitable for the location of a wastewater disposal area. Potable water is accessed from the main dwelling tanks.

(ii) The degree to which design is compatible with the principal dwelling;

The exterior cladding, colours and roofing materials complement the existing dwelling.

(iii) The extent that services can be shared;

The MRU will utilise the existing dwelling driveway entrance from the ROW. For capacity reasons, the MRU will be connected to a separate wastewater system that is to be located between the MRU and the principal dwelling. Laundry facilities and potable water supply from 2 x 30,000 litre tanks are shared.

(iv) The ability to mitigate any adverse effects by way of landscaping and screening;

No additional landscaping or screening is proposed. Existing vegetation screens the existing buildings from Waipapa West Road.

(v) The location of the unit

The MRU will be located on the southern side of the main dwelling and driveway area, parallel to the southern boundary.

Effects on Highly Productive Land

5.13. Potential adverse effects on the productive capacity of the site will be small-scale and negligible. The MRU is a transportable building and is located within the curtilage area of the principal dwelling and outside of any land that could be used for production purposes. As further mitigation (if deemed necessary), the Applicant would agree to a condition of consent requiring that the MRU be removed from the site at such a time as she is no longer residing at the property.

Effects on adjacent neighbours – building setback (and sunlight) from boundaries

5.14. The MRU and adjacent shed building would be located within the required 10m setback from the western boundary. The neighbouring property to the south is privately owned rural-residential site with a dwelling located approximately 50m further south of the common boundary. The small MRU and shed would have a negligible adverse building dominance and shadowing effect on the neighbouring property, which is pastureland. Notwithstanding any potential adverse effects on this property, the owners Joni and Scott Picken have provided written approval that is attached at **Appendix 8.**

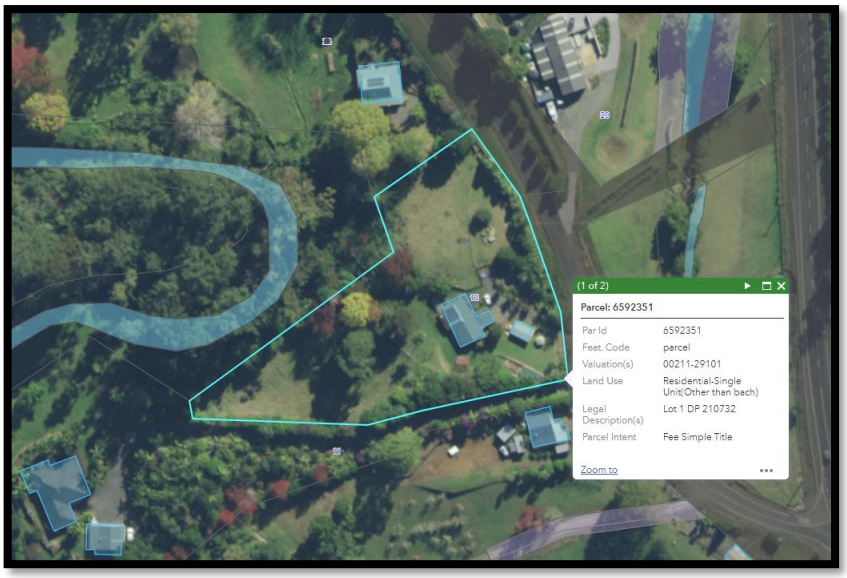


Figure 12 – Southern neighbouring site at 13 Waipapa West Road

5.15. The adjacent property to the west is a DOC owned marginal strip adjacent to the Waipapa River. The river land is located below the MRU site. There is no developed public access or walkways that would be affected by the building location. The location of the wastewater disposal field meets the required 30m setback from a waterway as well as regional council standards for the location of the disposal. Correspondence with DOC has requested that the location of the building be commented on as part of the processing of the application. Refer **Appendix 9**.

Effects on the proximity of development to the Waipapa Stream

5.16. The 800mm retaining wall would not usually be defined as a building as it is less than 1.5m in height and there is no obvious surcharge onto the structure. However, given that the retaining wall has not been constructed more than 800mm from the boundary it is assessed as potentially having a surcharge upon it as there is no control over what the neighbour may do on the neighbouring site. Given that a structure of this nature could be established as a permitted activity if it was 800mm away from the boundary it is considered that there would no adverse effects generated by the retaining wall location on the adjacent Waipapa stream environment.

Section 104(1)(b) – Relevant provisions of any statutory planning document

5.17. In accordance with Section 104(1)(b) of the Act, the following documents require consideration to determine their relevance to this proposal.

National Environmental Standards and Regulations (section 104(1)(b)(i) & (2)

5.18. There are no National Environmental Standards that are relevant to the consideration of the proposed activity.

National Policy Statements (section 104(1)(b)(iii)

5.19. There are currently 8 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy Standard for Highly Productive Land.
- National Policy Statement for Indigenous Biodiversity
- National Policy Statement for greenhouse gas emissions from industrial process heat.

5.20. As a Discretionary Activity, the NPS-HPL is relevant to a decision on this application for a residential activity in the rural environment.

National Policy Statement for Highly Productive Land 2022

5.21. The NPS-HPL came into force on 17 October 2022. Its implementation is intended to be through regional mapping of highly productive land region by region that regional councils are required to undertake within three years of the NPS-HPL commencement date. In accordance with Clause 3.5(7), until such time as regional mapping is complete highly productive land is any land that is zoned general rural or rural production and is currently mapped as NZLRI LUC 1, 2 and 3. As presently mapped, the site is zoned Rural Production and has some type 3 soils that are categorised as highly productive land. Recent caselaw has determined that the accuracy of highly productive land mapping cannot be further refined by smaller scale site specific soils assessments that may state otherwise[6].

5.22. Where land is determined to be highly productive, the appropriateness of proposed land use activities is subject to the matters set out in Clause 3.9. Clause 3.9(1) directs territorial authorities to avoid inappropriate land uses or the development of highly productive land that is not land-based primary production. Clause 3.9(2) sets out various activities and situations that may be appropriate with a requirement under Clause 3.9(3) to ensure that any use of highly productive land minimises or mitigates the loss of available highly productive land and its productive capacity and avoids or mitigates potential reverse sensitivity effects on primary production activities. Productive capacity is defined in the NPS-HPL as:

"in relation to land, means the ability of land to support land-based primary production over the long term, based on an assessment of:

(a) Physical characteristics (such as soil type, properties and versatility); and

(b) Legal constraints (such as consent notices, local authority covenants, and easements); and

(c) The size, shape of existing and proposed land parcels."

[6] Blue Grass Ltd v Dunedin City Council [2024] EnvC.83

5.23. As described, the site is a small rural lifestyle property that it not being used for production activities. Former orcharding activity on the more productive parts of the site was described 20 years ago as 'non-commercial' with no suggestion that subdividing the original parent lot would result in the loss if productive horticultural land. The topography of the site does not lend itself to a useable production unit that can be easily accessed. Steeper bush covered land in the central part of the site limits its use. The residential activity on the site is clustered at the eastern end close to the driveway entrance from Waipapa West Road. The existing house is a modest single dwelling that currently accommodates two people. The proposed MRU would be located close to the house within the existing driveway area and would provide housing for a close family friend. Whilst designed for independent living, the MRU would essentially be an extension of the house space that and would share laundry facilities, the potable water and driveway / parking facilities on the site. The clustered residential arrangement would have no impact on the existing productive potential of the site, albeit extremely limited. Unlike a subdivision, it would not permanently reduce its size or shape.

5.24. In terms of the exempt activities listed in Clause 3.9(2), the MRU (which is a transportable and easily removed facility) is considered to be a 'small-scale' land use activity that would have no impact on the productive capacity of the site. The addition of one person in a separate living area would not increase reverse sensitivity effects on production activities as the surrounding area is used for largely rural lifestyle purposes with only remnant horticulture activity remaining along this part of Waipapa West Road. This is not dissimilar to additional persons living in the principal dwelling that is currently occupied by two people.

5.25. In response to the NPS-HPL, the FNDC has included objectives and policies to be applied in the Horticulture Special Zone. Its purpose is specific to horticultural activities and the long-term protection of zoned land.

Far North District Plan (ODP)

5.26. The ODP provides for minor residential units in the Rural Production Zone as a controlled activity subject to meeting specified criteria. This activity status does not apply to the proposed MRU due to an applicable consent notice condition that restricts the number of dwellings on the site to one. The ODP defines the MRU as a residential unit.

5.27. Ordinarily, where the controlled activity criteria are met, resource consent must be granted with conditions. As commented on above, the proposed MRU meets the ODP controlled activity criteria and is within the anticipated residential intensity for the rural production zone. This includes the size, location and nature of the on-site arrangement with the principal dwelling with respect to shared services. As a Discretionary Activity, the proposal must also be assessed against the objectives and policies of the operative District Plan and be in accordance with the intent of the Rural Production Zone. Historic references to former plans are relevant to the extent that they provide an understanding of how decisions on resource consents were made, however, they are not determinant to an application under Section 104 of the RMA, which refers to currently operative or proposed plans.

Objectives

8.6.3.1 *To promote the sustainable management of natural and physical resources in the Rural Production Zone.*

8.6.3.2 *To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.*

8.6.3.3 *To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.*

8.6.3.4 *To promote the protection of significant natural values of the Rural Production Zone.*

8.6.3.5 *To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.*

8.6.3.6 *To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.*

8.6.3.7 *To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.*

8.6.3.8 *To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments. 8.6.3.9 To enable rural production activities to be undertaken in the zone.*

Policies

8.6.4.1 *That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.*

8.6.4.2 *That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated. 8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.*

8.6.4.4 *That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.*

8.6.4.5 *That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.*

8.6.4.6 *That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.*

8.6.4.7 *That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.*

8.6.4.8 *That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities*

8.6.4.9 *That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.*

5.28. The natural and physical resources of the RPZ include the land, finite productive soil resources, both naturally occurring and irrigation water supply and other infrastructure including roads, telecom and electricity supply. The general intent of the RPZ is that land is used efficiently and effectively to enable social, economic and cultural well-being (and health and safety) of far north communities. This includes where they live within the zone and the extent to which residential living is consistent with the productive intent of the zone. Residential living is limited to the density of residential units at 1 unit per 12 hectares of land. Additional residential activity is provided for as controlled activity in the form of a minor residential unit where stated criteria are met. The proposed MRU is consistent with the policy direction of the ODP, which anticipates this scale of residential living on the site.

Proposed Far North District Plan 2022 (PDP)

5.29. The application site is proposed to be zoned 'Horticulture Special Purpose Zone under the PDP. Flood hazard zones apply to parts of the site adjacent to the Waipapa Stream esplanade reserve boundary. There are no rules that have current legal effect, other than rules relating to the management of earthworks activities. The minor earthworks required to construct a flat parking platform for the MRU trailer would be well below the permitted threshold for the Horticulture Special Zone.

5.30. The purpose of the proposed Horticulture Special Purpose Zone is to *'protect this area for horticulture activities for the benefit of current and future generations.'* Protecting the economic value of horticulture to the Far North District economy is a strategic focus of zone, which includes managing land values that are demand driven. Careful management of reverse sensitivity effects is also a key issue and consistent with NPS-HPL requirements to include objectives and policies to avoid or otherwise mitigate these effects.

5.31. The recent PDP Rural provisions hearing held in December 2024 generated some debate about the merits of the Horticulture Special Purpose Zone. The Council's officer's right of reply recommendation is that the HSZ is redrafted as a precinct that applies to horticultural type land as mapped. The economic value of the zone is prioritised as a land use sub-set of the rural production zone. There is no Hearings Panel decision on this recommendation.

PDP Horticulture Special Purpose Zone Objectives

HZ-01 *The Horticulture zone is managed to ensure its long-term availability for horticultural activities and its long-term protection for the benefit of current and future generations.*

HZ-02 *The Horticulture zone enables horticultural and ancillary activities, while managing adverse environmental effects on site.*

HZ-03 *Land use and subdivision in the Horticulture zone:*

a. avoids land sterilisation that reduces the potential for highly productive land to be used for a horticulture activity;
b. avoids land fragmentation that comprises the use of land for horticultural activities;
c. avoids any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities;
d. does not exacerbate any natural hazards;
e. maintains the rural character and amenity of the zone;
f. is able to be serviced by on-site infrastructure.

Comment

5.32. The proposed MRU will not affect the long-term availability of horticulture land in the HSZ. The MRU is a small-scale transportable tiny home on a moveable trailer that would be parked adjacent to the existing house. The transportable nature of the MRU and the fact that it will not be fixed to the land by any foundation or attached to any inground services such as wastewater will ensure that the site remains available for production use (should it ever be required). The eastern part of the site that contains the existing house is outside of any potential productive areas on the site. The proposed MRU will be located within the existing house curtilage area. The Applicant has agreed to a condition (if deemed necessary) requiring its removal when she is no longer residing on the site.

5.33. The proposal is not a subdivision that would result in permanent fragmentation of the site for the purpose of rural lifestyle activities. The contained nature of the residential activity on the site that is confined to the existing house location and the addition of a single person resident will not increase the risk of reverse sensitivity to the immediately surrounding area which is predominantly rural lifestyle properties. The existing house currently accommodates two people and with a change of ownership could accommodate up to 4-6 persons based on the number of bedrooms. With the current on-site living arrangement, this effect is no different to the addition of the MRU accommodate one additional person.

6. Notification Assessment

6.1. Section 95A-95G sets out the public and limited notification criteria for resource consent applications. There is no mandatory requirement to publicly notify this application under Section 95A. There are no more than minor adverse effects arising from this application that would warrant public notification. There are no affected groups to which the application should be limited notified. Adjoining landowners that are potentially affected by breaches to land use building setback rules have provided written approval. It is considered that the location of the building relative to the DOC marginal strip boundary will have negligible adverse effects.

6.2. The Applicant is seeking to vary the consent notice condition relating to MRU on the site, which under Section 127 requires that a consent authority to considers how any person on who made a submission on the original subdivision application may be affected. No submissions were made on the 1996 subdivision application. Six written approvals were provided from adjoining neighbours. DOC provided approval subject to conditions restricting the keeping of cats and dogs on the site.

6.3. There are no other landowners or persons that would be adversely affected by the varying of the applicable consent notice condition. Locating the MRU on the site will enable small-scale additional accommodation on an existing lifestyle property that will contribute positively to overall housing supply in Kerikeri. The accommodation would be limited to the MRU owner Ms Rosina Tomes and if deemed necessary a condition requiring its' removal when she is no longer the occupier.

7. Conclusion

7.1. The Applicant seeks retrospective resource consent to locate a minor residential unit on a site at 23 Waipapa West Road, Kerikeri. The application activity status is Discretionary overall as the proposal includes a variation to an existing subdivision consent notice that restricts the number of dwellings on the site to one. No other resource consents are required.

7.2. The proposed MRU is able to meet all of the controlled activity criteria that would ordinarily apply to MRU applications in the RPZ. The MRU will form part of the existing residential built development on the site and utilise the existing vehicle access from Waipapa West Road. The MRU would not rely on any on-site services other than access to potable water supply. Laundry facilities would be located within the principal dwelling and shared. Potential adverse effects on the environment arising from the additional MRU, its' location relative to the boundaries and associated infrastructure location in proximity to the waterway would be less than minor.

7.3. The proposed activity would not be contrary to any applicable policy statement or operative or proposed plan objective or policy.

8. Limitations

8.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.

8.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.

8.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.

8.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir
Registrar-General
of Land

Identifier	**NA117B/375**
Land Registration District	**North Auckland**
Date Issued	16 October 1998

Prior References
NA47B/482

Estate	Fee Simple
Area	3.2625 hectares more or less
Legal Description	Lot 2 Deposited Plan 187111
Registered Owners	

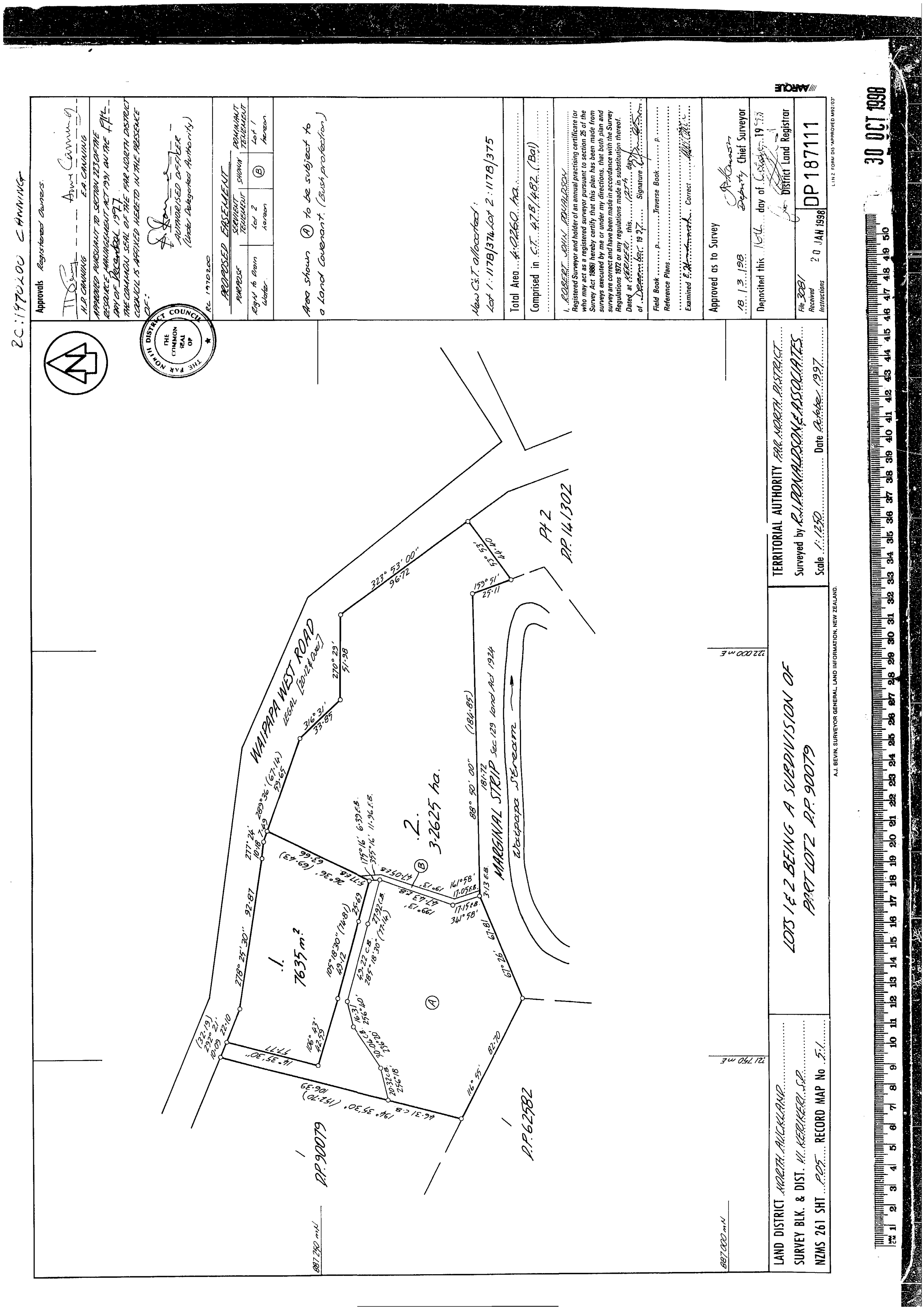
Lindsay Caroline Hart-MacDiarmid and Robin Marion MacDiarmid

Interests

D321395.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 16.10.1998 at 1.40 pm

Subject to a right to drain water over part marked B on DP 187111 specified in Easement Certificate D321395.4 - 16.10.1998 at 1.40 pm

9918232.2 Mortgage to (now) ASB Bank Limited - 11.12.2014 at 1:57 pm


DP 187111
LOTS 1 & 2 BEING A SUBDIVISION OF PART LOT 2 D.P. 90079
WAIPAPA WEST ROAD
MARGINAL STRIP
Waipapa Stream
1. 7635 m²
2. 3.2625 ha.
D.P. 90079
D.P. 62582
Pt 2 D.P. 141302
PROPOSED EASEMENT
New C.T. allocated: Lot 1: 117B/374 Lot 2: 117B/375
TERRITORIAL AUTHORITY FAR NORTH DISTRICT
LAND DISTRICT NORTH AUCKLAND
30 OCT 1998

Rochelle

From: LINZ HART <hartlinz@hotmail.com>
Sent: Wednesday, 9 April 2025 3:01 pm
To: Rochelle
Cc: Rosina Tomes; robin macDiarmid
Subject: Re: Letter for Rosina

Hi there Rochelle .....

To Far North District Council

As the Title and Property owners of 23 Waipapa West Road, 0295, , we are in full and positive agreement to have a resource consent application submitted in Rosina Tomes' name for the purpose of a minor dwelling , and for Rosina to reside in that property .

Thank you
Linz Hart-MacDiarmid and Robin MacDiarmid

Get Outlook for iOS

From: Rochelle <rochelle@northplanner.co.nz>
Sent: Wednesday, April 9, 2025 2:46 PM
To: LINZ HART <hartlinz@hotmail.com>
Cc: Rosina Tomes <rosina@ragtrade.co.nz>; Rosina Tomes <rosina.tomes@icloud.com>
Subject: Letter for Rosina

Good Afternoon Linz,

I have written up the resource consent application for the minor dwelling in Rosinas name.

I am just tidying this up today and tomorrow and we should hopefully be good to go after that.

As Rosina isn't the landowner I was wondering if I could get a quick letter or email from you / Robin stating that you are happy for this application to proceed.

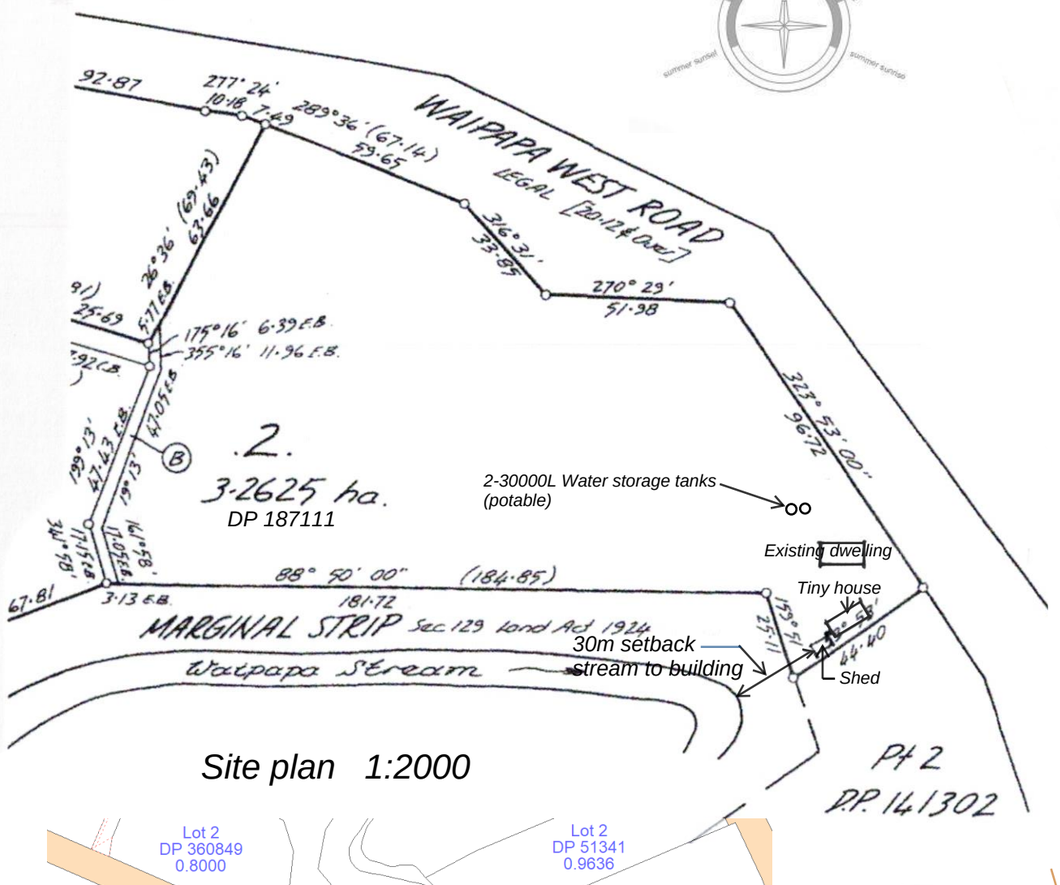
While with a resource consent anyone can make an application, the letter just gives me something to say to council that you as the landowner are happy with the application and that you are therefore not an affected party.

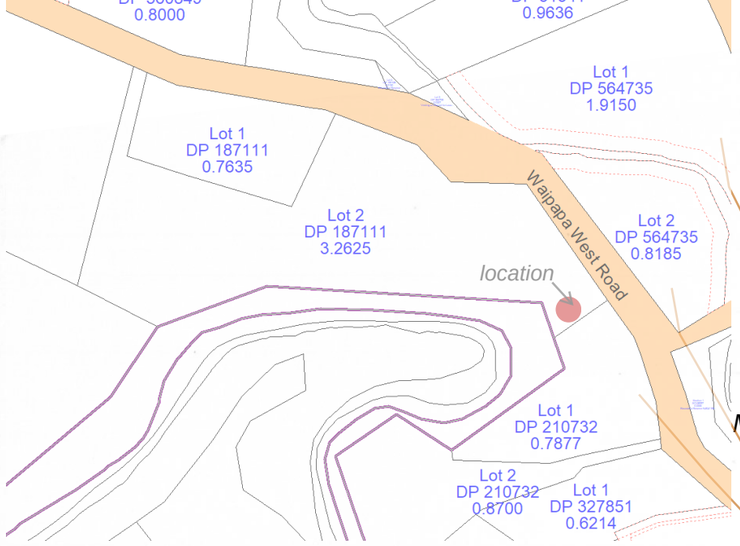
Cheers,

Rochelle Jacobs
Director / Senior Planner

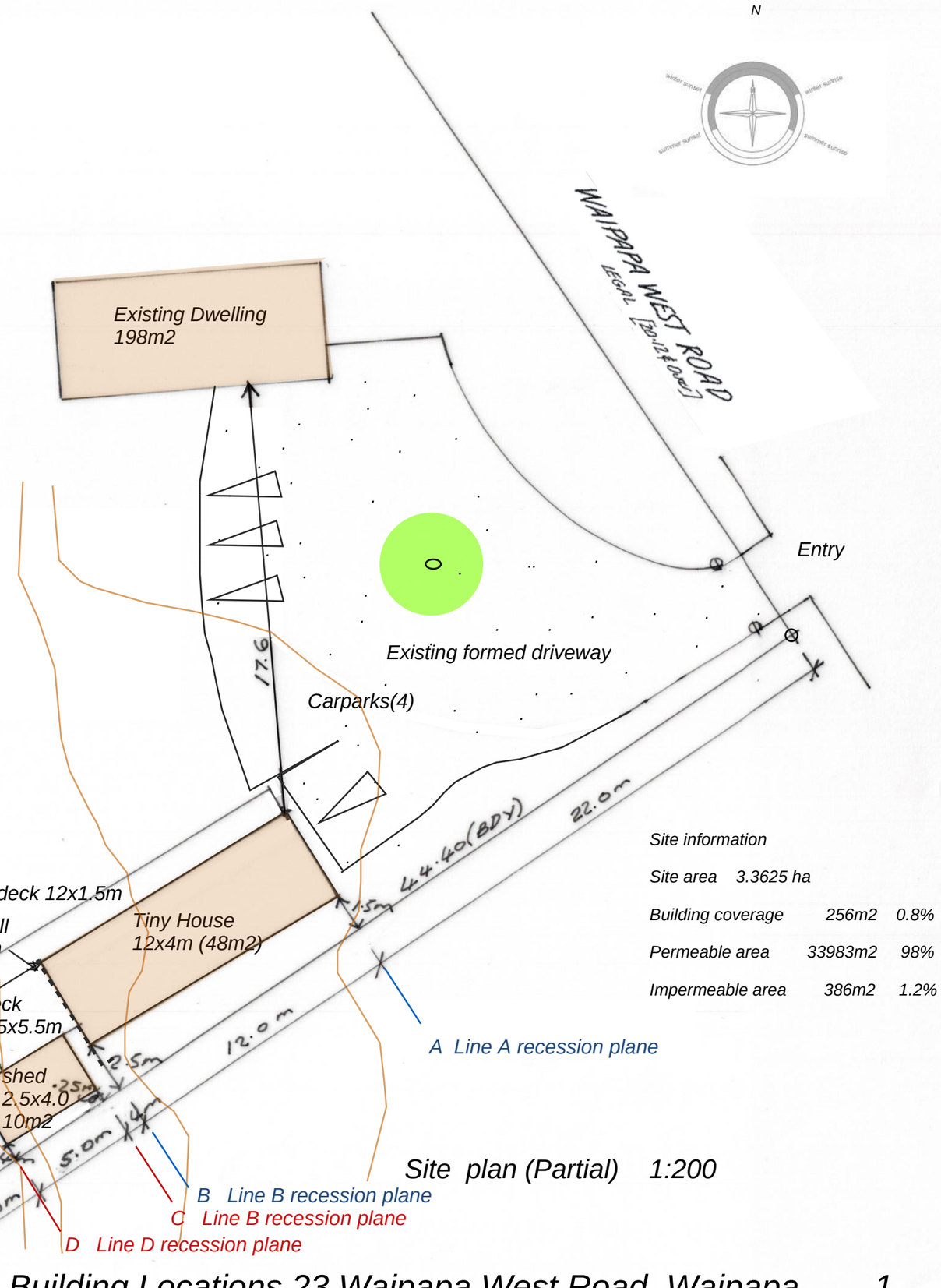
Offices in Kaitaia & Kerikeri
09 408 1866 | 027 449 8813
Northland Planning & Development 2020 Limited

- Standard 12 x 4m
- One Bedroom





Location plan 1:4000



Site plan (Partial) 1:200

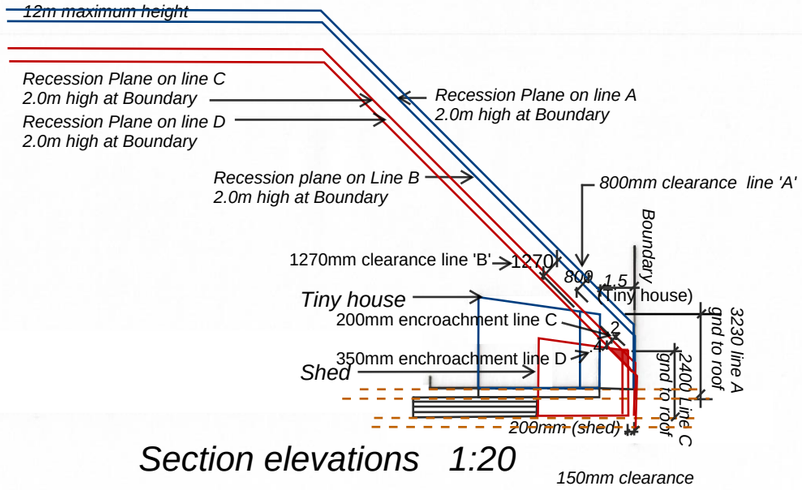
Site information

Site area	3.3625 ha	
Building coverage	256m2	0.8%
Permeable area	33983m2	98%
Impermeable area	386m2	1.2%

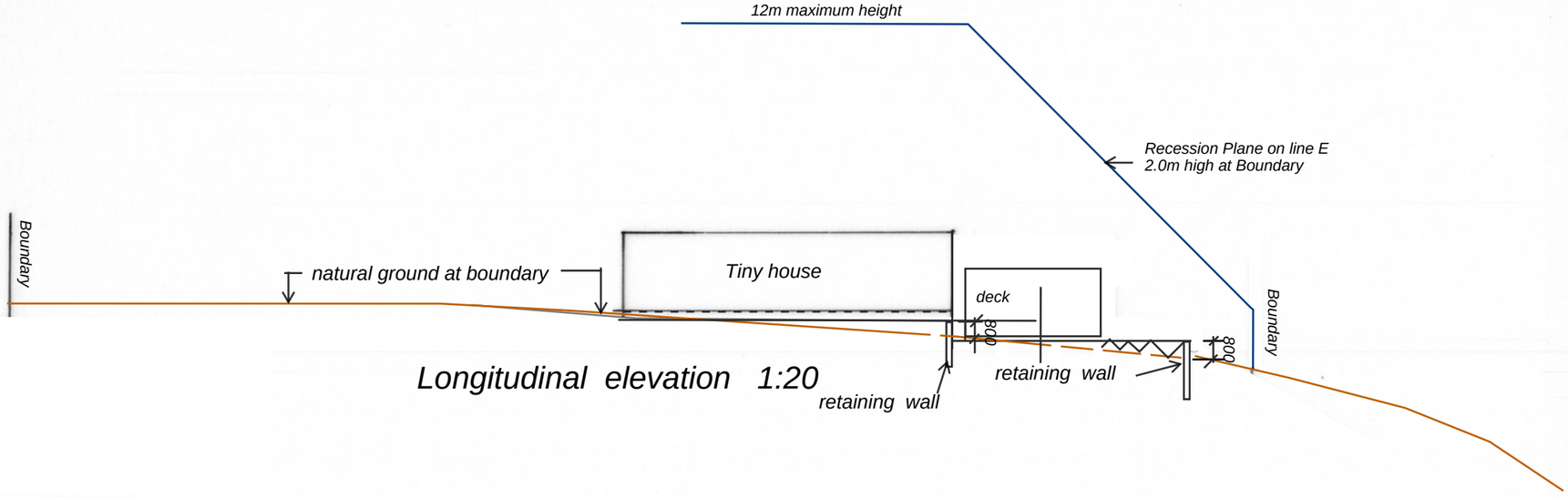
Dalton Design
e: Parawai@xtra.co.nz
ph: 0273325027

Building Locations 23 Waipapa West Road Waipapa 1

20/02/2025



Section elevations 1:20



Longitudinal elevation 1:20

Dalton Design
e: Parawai@xtra.co.nz
ph: 0273325027

Building Elevations 23 Waipapa West Road Waipapa 2

0/02/2025

JAS Civil Ltd

ON-SITE WASTEWATER, DESIGN, TREATMENT AND DISPOSAL REPORT

MARCH 2025

Author: Mark Smith

Owner information

Owner's Name:	Rosina Tomes
Physical Address:	23 Waipapa West Rd, Waiapapa
E-mail:	rosina@ragtrade.co.nz
Phone:	021 2134033

Contractor's Information

Name:	Adams Drainage
Registration No.	15071
Phone:	021 499492

Designer's Information

Designer's Name:	Mark Smith NZCE (civil)
Mailing address:	P.O. Box 1261, Whangarei
Phone:	027 4346180

Design Overview:

Rosina Tomes is proposing to locate a 1 bedroom tiny house onto the property at 23 Waipapa West Road, Waipapa.

She has a composting toilet for the black water and requires a separate greywater system.

The property consists 33,625m² (3.3ha).

She is proposing to use a package from "waterless composting toilets NZ" which have specifically designed system for grey water.

The Waipapa stream is located over 30m to the west of property.

System Design Parameters

Number of bedrooms	1
Combined occupancy Allowance	2
Daily Occupant Flow Allowance	95
Total Daily Flow Rate	190
Soil Category	4
Design Loading Rate (DLR)	2.5
Disposal Field Area	76m^2
Reserve Disposal Field Area	23m^2
Water Supply	Tank
Water Reduction reuse Water conservation fixtures	Grey water system proposed No garbage grinder unit allowed for in system. No bath tub.

NRC Permitted Discharge Compliance

Feature	Proposed Regional plan	Available
Identified Stormwater Flow Path	5m	50m
River, Lake Pond, Stream, Dam or Wetland	15m	30m
Existing water bore	20m	N/A
Property Boundary	1.5m	5.0m
Groundwater	0.6m	>1.0m
10m Buffer Zone	Slopes >10 ^{0}	N/A
Floodplain Exclusion	5% AEP	>5% AEP
Reserve Area Required	30%	50%

Soil Assessment:

The soil is described as a gravelly, clayey silt.
We have classified it as cat 5.

System Design

It is proposed to use a greywater system from “waterless composting toilets NZ”

Refer to attached brochures

Sizing of land application area

Total dripper line area = $\frac{\text{total daily discharge}}{\text{Design irrigation rate}}$

= 190 / 2.5

= 76m²

Environmental Impact

The proposed AES Bed is positioned lower than the dwelling to allow gravity feed.

No historical findings or archaeological artifacts have been uncovered during excavations.

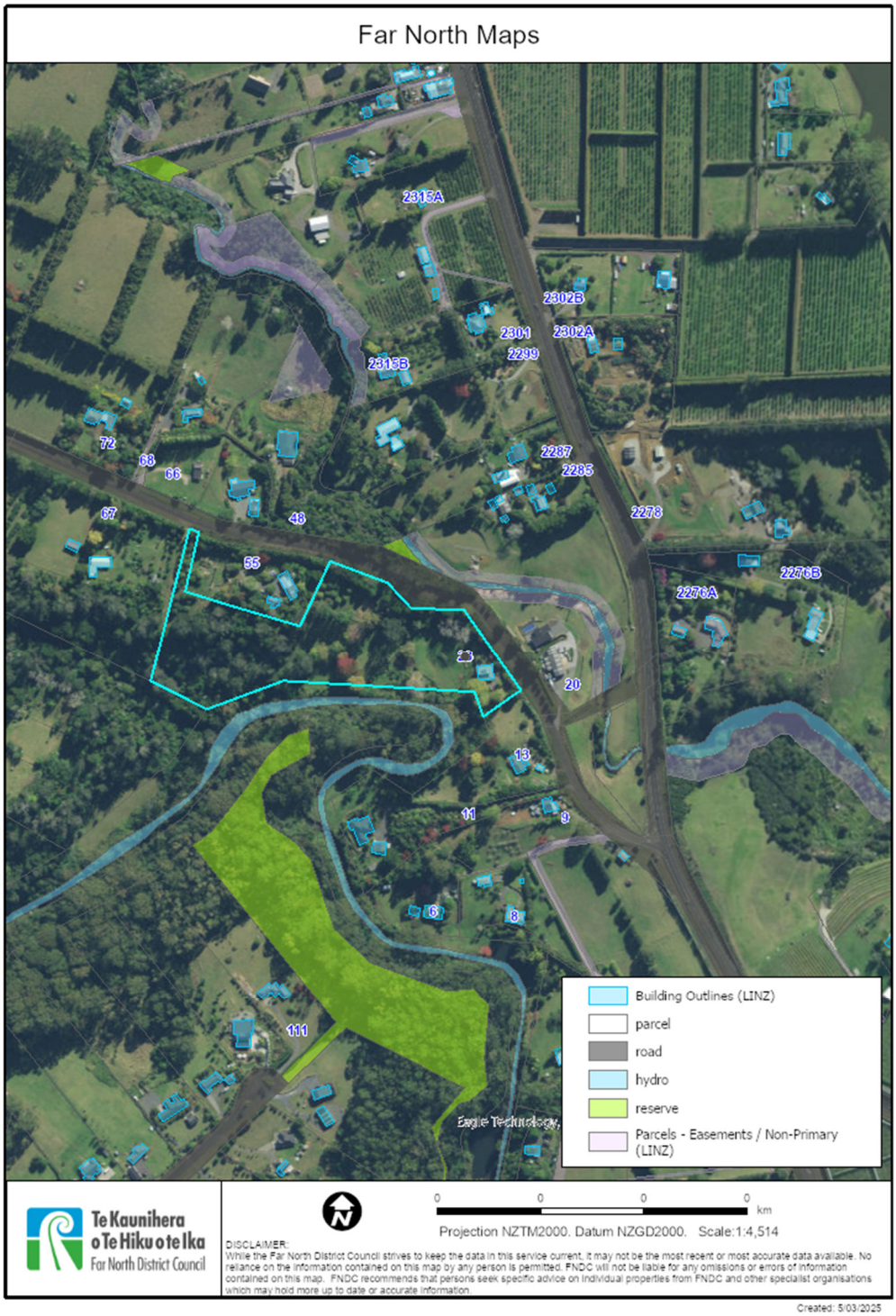
There will be insignificant environmental effect from the proposed system.

No Livestock may access the property.

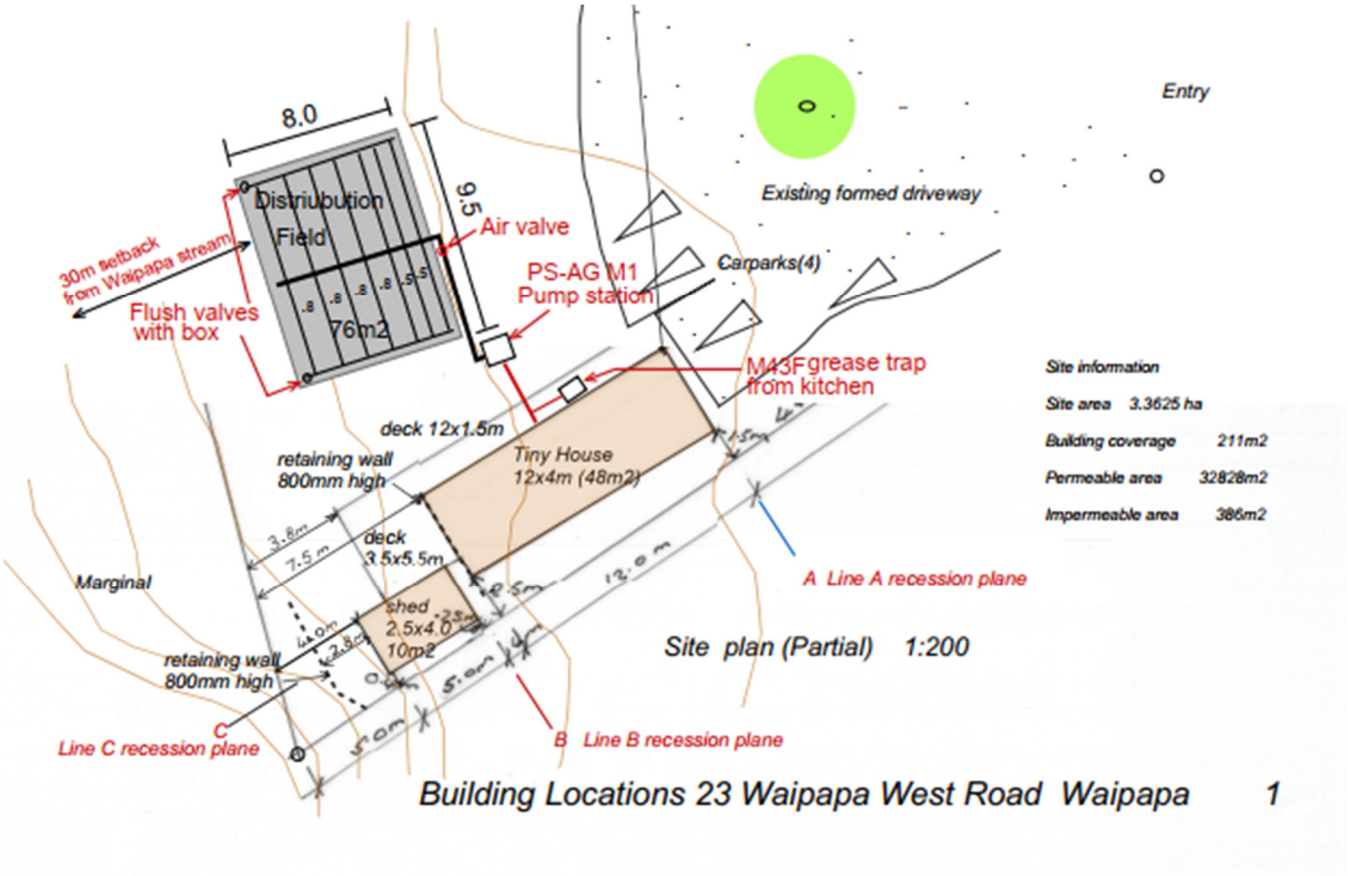
Mark Smith

NZCE (civil)

Location Map



System Layout



Soil and Resource Report for 23 Waipapa West Road, Kerikeri.

Prepared By: Ian Hanmore

Prepared For: Lindsay Hart-MacDiarmid, Robin MacDiarmid

19th December 2022

Hanmore Land Management

TABLE OF CONTENTS

1.0 Introduction 2

2.0 Mapping Method 2

3.0 Site Description 2

3.1 Soil Profiles and Descriptions 3

3.2 Land Use Capability Descriptions 4

4.0 Soil Classification 6

5.0 Maps 7

6.0 References 10

1.0 INTRODUCTION

This report has been prepared at the request of the client to assess the soils on a proposed subdivision site at 23 Waipapa West Road, Waipapa. The purpose of the report is to identify any highly versatile soils located at the property, as defined by the Northland Regional Policy Statement and any highly productive land as defined by the National Policy Statement on highly productive land (NPS-HPL). To achieve this, a site visit was carried out to map the soils and land use classes present and assess them in relation to the Northland Regional Councils soil class definitions and the NPS-HPL. This report presents the description of each of the soil types identified on the proposed site as well as descriptions of each of the Land Use Capability units mapped. This information is then used to determine and quantify any highly versatile soils and any highly productive land present on the proposed site. This information is accompanied by soil, LUC, and soil classification maps.

2.0 MAPPING METHOD

A site visit was carried out on the 12th of December 2022 to evaluate and describe the soil types and the Land Use Capability (LUC) units present. The site of interest was mapped at a scale of less than 1:4,000. LUC mapping was carried out in accordance with the methods described in the 3rd Edition of the Land Use Capability Survey Handbook (Lynn et al 2009). This process involves making a land resource inventory (LRI) of the property in which soil types, soil parent materials, land slopes, erosion type and severity and land cover are recorded. Whenever any of these land features changes a new unit is made. Specific field work activities include digging and describing soil profiles on each landform with supporting holes dug or profiles observed on bank/drain cuttings to establishing soil boundaries, measuring slopes with a clinometer, and gathering any other data that may be of assistance in assessing the suitability of the land for primary production such as erosion, susceptibility of the land to flooding, winter wetness and/or cold, high temperatures, exposure to salt winds, aspect, and accessibility. This information is then used to determine the specific LUC units, as described in the Land Use Capability Classifications of the Northland Region (Harmsworth, 1996) for the area. At times when mapping at a scale finer than Harmsworth (1996) of 1:50,000, new LUC units are recorded and are noted with an * in the LUC description table.

3.0 SITE DESCRIPTION

The proposed subdivision site is located at 23 Waipapa West Road, Waipapa and covers just under 3.0 hectares. The site is mostly strong rolling to moderately steep with small areas of flat and rolling slopes. The soils at the site are dominated by Ruatangata friable clay and Ruatangata friable clay with large boulders with a small area of Otah clay. The site has a residential dwelling and associated buildings and garden, a significant area of native and exotic bush with the balance supporting macadamia nut trees and pasture that grazes two sheep.

3.1 Soil Profiles and Descriptions

The soils identified on the proposed site are presented and described in the table below.

Soil Profile	Soil Profile Description
	**Soil Name:** Ruatangata friable clay (RT) **Soil classification**: Moderately to strongly leached brown loams from the Kiripaka suite. **Parent material:** Basalt flows and ash. **Soil description:** 0-150mm: Friable, strongly developed, 2-10mm nut, dark brown (10yr 3/3), non-sticky, non-plastic, clay loam. 150-300mm: Friable, strongly developed, 1-5mm nut, dark yellowish brown (10yr 4/6), slightly sticky, plastic, clay. **Overall drainage:** Well drained.
	**Soil Name:** Otah clay (RT) **Soil classification**: Strongly to very strongly leached brown loams from the Kiripaka suite. **Parent material:** Basalt flows and ash. **Soil description:** 0-230mm: Friable, strongly developed, 2-10mm nut, black (2.5y 2.5/1), sticky, plastic, silty clay. 230-400mm: Friable, strongly developed, 2-5mm nut, light olive brown (2.5y 5/4), sticky, plastic, silty clay. **Overall drainage:** Well drained.

Note: Ruatangata friable clay with large boulders has the same soil matrix as described above under Rauatangata friable clay but with the addition of boulders and rocks on the soil surface and throughout the soil profile.

3.2 Land Use Capability Descriptions

Land use capability classifications categorizes land into eight classes according to its long-term capability to sustain one or more productive uses. Classes one to four have arable potential with limitations to this land use moving from class one being the most versatile, multi-use land with minimal physical limitations for arable use and increasing to severe limitations under class four land. These classes are also suitable to viticulture, berry production, pastoralism, tree crops and production forestry. Classes five to seven are suitable for pastoral farming and production forestry with class eight land having no productive use and is rather managed for catchment protection and conservation purposes. The table below presents the LUC units mapped on the proposed planting areas in this survey.

Resource information	Luc unit	Total area (ha)	Parent material	Dominant soil type	Slope (degree)	Land Cover	Erosion degree & severity		Landuse suitability	Stock carrying capacity (su/ha) Forestry site index (FSI)
							Actual	Potential		
3e 1 Undulating to rolling slopes on young basaltic lava flows, basaltic scoria, and ash.		0.43	Basaltic lavas, basaltic scoria older ashes or tephras	Brown and red loams	4-15^0	Pasture Macadamia nut trees	Negligible to slight sheet.	Slight sheet, rill, and gully. Moderate rill, sheet, wind, and gully when cultivated.	Horticulture. Root and green fodder crops. Viticulture. Intensive grazing Forestry	Average: 21 Top: 26 Potential:30 With irrigation FSI: 30-33 **Revised** Average: 18 Top: 20 Potential:22 No irrigation
3s 2 Flat to undulating slopes on deeply weathered basalt rocks and occasional ash.		0.38	Lavas and scoria, older ashes or tephras	Brown and red loams.	0-7^0	Pasture Macadamia nut trees	Negligible.	Slight wind, sheet and rill when cultivated.	Horticulture. Root and green fodder crops. Intensive grazing Forestry	Average: 21 Top: 26 Potential: 30 With irrigation FSI: 33-36 **Revised** Average: 18 Top: 20 Potential:22 No irrigation

Resource information	Luc unit	Total area (ha)	Parent material	Dominant soil type	Slope (degree)	Land Cover	Erosion degree & severity		Landuse suitability	Stock carrying capacity (su/ha) Forestry site index (FSI)
							Actual	Potential		
6e 4 Strong rolling to steep slopes on basalt flows and basaltic scoria.		0.97	Lava, scoria	Brown and red loam hill soils	16-25º	Pasture Trees	Negligible	Slight to moderate soil slip and sheet. Slight gully	Semi intensive to intensive grazing Forestry	Average: 13 Top: 15 Potential: 18 FSI: 27-30 **Revised** Average: 8 Top: 10 Potential: 12
6s 1 Flat to rolling slopes on relatively young basalt flow terrains with numerous stones, gravels, and boulders on the land surface and throughout the soil profile.		0.93	Lavas and welded ignimbrites.	Brown and red loams.	$0\text{-}25^{0}$	Native bush. Exotic trees	Negligible	Slight sheet and gully	Pasture	Average: 17 Top: 20 Potential: 24 FSI: <18m **Revised** Average: 8 Top: 10 Potential: 12

Land use capability unit descriptions are taken from the author's field work, and the Land use capability classification of the Northland region (Harmsworth, 1996).
Revised stock carry capacities are taken from a review of Harmsworth (1996) stock carry capacities by Bob Cathcart in 2017

4.0 SOIL CLASSIFICATION

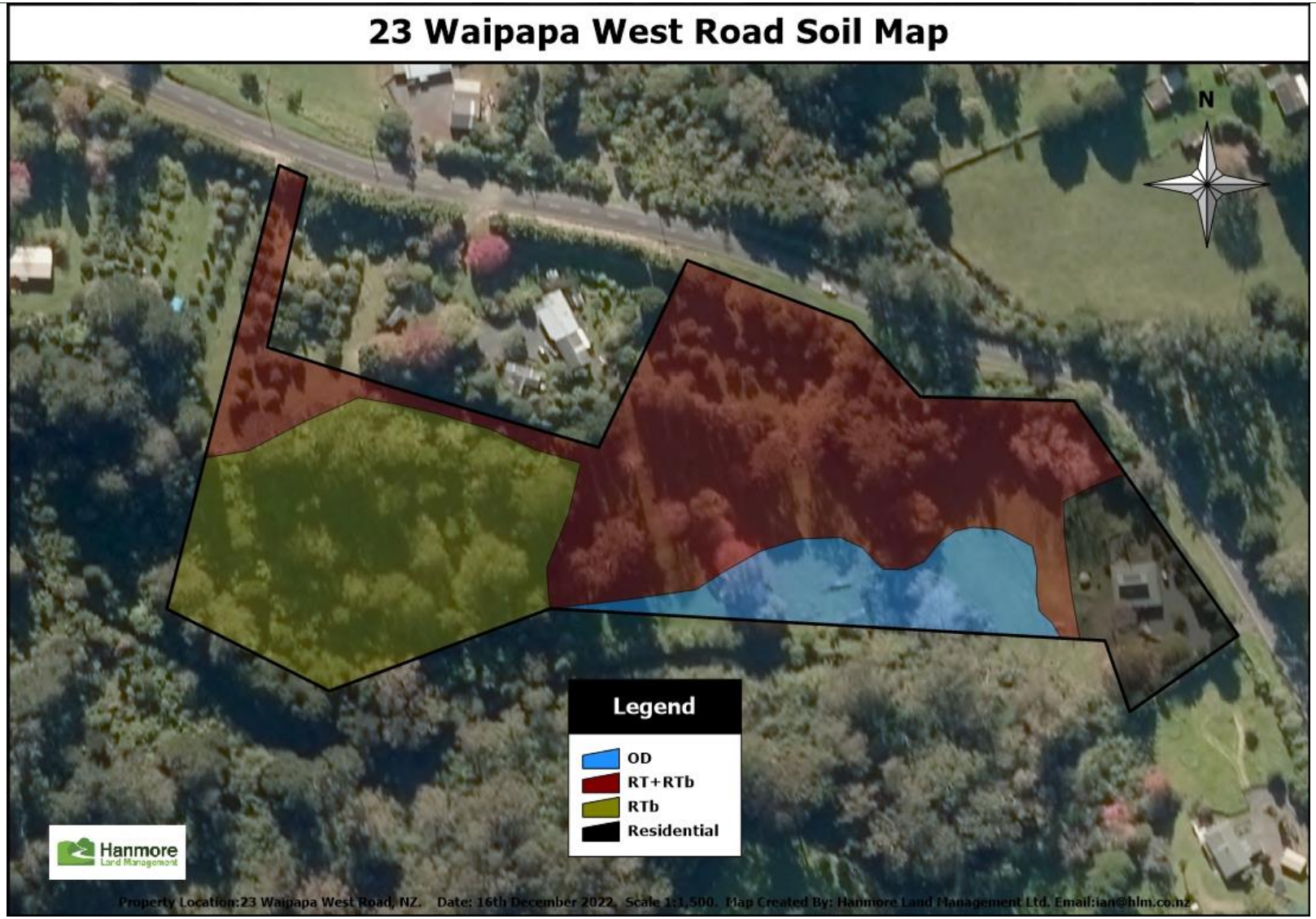
One of the objectives of Northland Regional Policy Statement (NRPS) is the maintenance, and where possible, enhancement of the life-supporting capacity of soils, especially those which have potential to support intensive primary production. These soils are categorised as highly versatile and include the LUC units 1c 1, 2e 1, 2w 1, 2s 1, 3e 1, 3s 1 and 3s 2 while the NPS-HPL classifies all land in LUC classes 1, 2 and 3 as highly productive. The council regulations and the NPS seek to protect the productivity potential of such soils by regulating non-productive land uses and inappropriate subdivision. The table below shows the area breakdown for the proposed site as well as the percentage of highly versatile soils and highly productive land.

LUC Unit	Area (ha)	Soil Classification	HPL Classification	% of total Area
3s 2	0.38	Highly versatile	HPL	13.0
3e 1	0.43	Highly versatile	HPL	14.4
6e 4	0.97	Not highly versatile	Not HPL	32.6
6s 1	0.93	Not highly versatile	Not HPL	31.4
Residential	0.25	Not highly versatile	Not HPL	8.6
Total area	2.97			
Area HPL	0.81		Total % HPL	27.4
Area highly versatile soil	0.81		Total % highly versatile soil	27.4
Total area non-highly versatile soil & non-HPL	2.16		Total % non-highly versatile & non-HPL	72.6

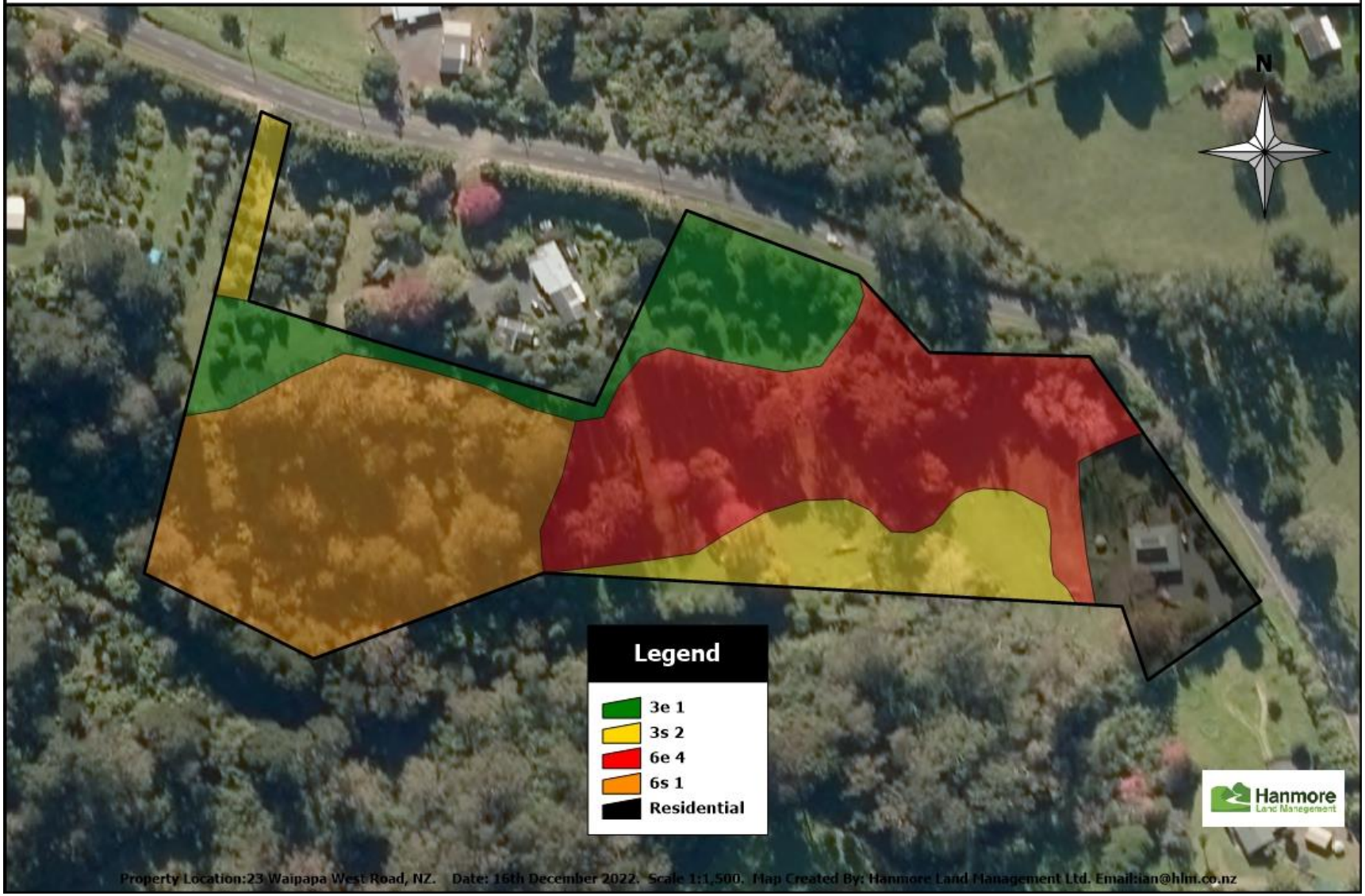
Note: The area of the property shown on the legal title description is 3.2625ha but the area of the legal boundary has been calculated in this report as 2.9676ha. As such the later figure has been used in all area and percentage calculation.

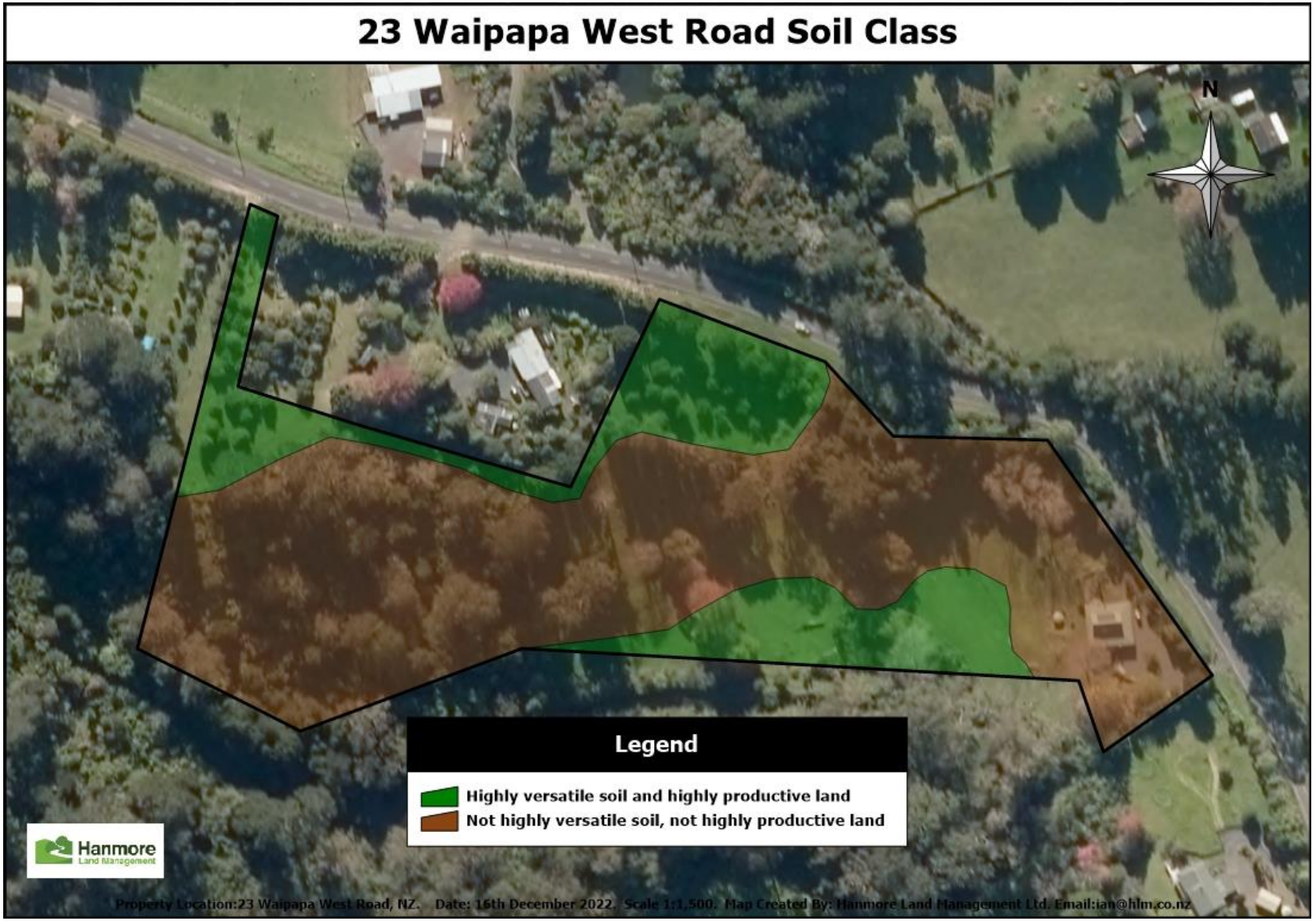
The table above shows there is a total of 0.81ha or 27.4% of the site classified as both highly productive land and highly versatile soils. In reality the usable area is slightly smaller than this with part of the 3s 2 area which comes off Waipapa West road at the north western end of the property forming a narrow access way on to the property and the narrow strip of land that joins both of the 3e 1 areas being covered in bush and too narrow to be of any practical use. In effect there are three separate small areas of HPL and highly versatile soils on the property available for use. Two areas of 3e 1 land at 0.11ha and 0.26ha and 0.32ha area of 3s 2. Currently there are a few macadamia nut trees and two sheep on the easier slopes of the 3e 1 land and the 3s 2 access way, while the 3s 2 area on the southern boundary is mowed and forms an extended residential/garden area.

5.0 MAPS


23 Waipapa West Road Soil Map
N
Legend
OD
RT+RTb
RTb
Residential
Hanmore
Land Management
Property Location:23 Waipapa West Road, NZ. Date: 16th December 2022. Scale 1:1,500. Map Created By: Hanmore Land Management Ltd. Email:ian@hlm.co.nz

23 Waipapa West Road Land Use Capability Classifications




23 Waipapa West Road Soil Class
N
Legend
Highly versatile soil and highly productive land
Not highly versatile soil, not highly productive land
Hanmore
Land Management
Property Location:23 Waipapa West Road, NZ. Date: 16th December 2022. Scale 1:1,500. Map Created By: Hanmore Land Management Ltd. Email:ian@hlm.co.nz

6.0 REFERENCES

Harmsworth, G.R. 1996. Land Use Capability classification of the Northland region. A report to accompany the second edition (1:50,000) NZLRI worksheets. Landcare Research Science Series 9. Lincoln, Manaaki Whenua Press.

Lynn IH, Manderson AK, Page MJ, Harmsworth GR, Eyles GO, Douglas GB, Mackay AD, Newsome PJF 2009. NZ Land Use Capability Survey Handbook – a New Zealand handbook for the classification of land 3rd Edition. Hamilton, AgResearch; Lincoln, Landcare Research; Lower Hutt, GNS Science. 11p, 56p.

Hanmore
Land Management

P. 021 201 3441 E. ian@hlm.co.nz

hanmorelandmanagement.co.nz

FAR NORTH DISTRICT COUNCIL

CERTIFICATE OF LOCAL AUTHORITY UNDER SECTION 224 (c) RESOURCE MANAGEMENT ACT, 1991

VALUATION NO: 190-552-00
FILE NUMBER: RC 1970200
APPLICANT: H D & E A Canning

IN THE MATTER OF LAND TRANSFER PLAN NO: 187111

And pursuant to Section 224 (c) of the Resource Management Act 1991 I hereby certify that some of the conditions shown on or referred to on the approved Subdivision Consent have been complied with to the satisfaction of the **FAR NORTH DISTRICT COUNCIL**, and that in every respect of such conditions that have not been complied with a Consent Notice has been issued in relation to such of the conditions to which Section 221 applies.

DATED at Kaikohe this 13th day of July 1998.

MANAGER, ENVIRONMENTAL SERVICES

Ref:Forms\1Sec244C.fm

FAR NORTH DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991:

AND

IN THE MATTER of an application under the aforesaid Act, 1991 by H D & E A CANNING

APPLICATION NUMBER RC 1970200

APPLICATION FOR RESOURCE CONSENT TO SUBDIVIDE.

The property in respect of which the application is made, is situated at Waipapa West Road, Kerikeri.

HEARING

Before the Hearings Committee of the Far North District Council, on the 17th of December 1996.

DECISION

"THAT PURSUANT TO SECTION 105(1) (c) OF THE RESOURCE MANAGEMENT ACT 1991, THE FAR NORTH DISTRICT COUNCIL GRANTS IT CONSENT TO APPLICATION NO. 1970200 BY HD & EA CANNING TO SUBDIVIDE LOT 2 DP 90079 TO CREATE TWO ALLOTMENTS AND TO DISPENSE WITH THE SIDEYARD REQUIREMENTS ON WAIPAPA WEST ROAD, KERIKERI, BEING LEGALLY DESCRIBED AS LOT 2 DP 90079. THIS CONSENT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT THE SURVEY PLAN SHALL SHOW:

   (a) AREA 'A' AS A BUSH PROTECTION AREA.

2. THAT BEFORE A COMPLETION CERTIFICATE PURSUANT TO SECTION 224 (c) OF THE ACT IS ISSUED THE SUBDIVIDING OWNER SHALL:

(a) UPGRADE ENTRANCE TO LOT 2 IN ACCORDANCE WITH THE COUNCIL STANDARDS: INSTALL CULVERTS PLUS HEADWALLS, SEAL ENTRANCE FOR A MINIMUM DISTANCE OF 2.0 METRES FROM THE EXISTING SEAL EDGE.

(b) SECURE BY WAY OF A SECTION 221 CONSENT NOTICE THE FOLLOWING REQUIREMENTS:

(i) THAT NO VEGETATION CLEARANCE SHALL BE UNDERTAKEN WITHIN AREA A SHOWN AS BUSH PROTECTION.

(ii) THAT CATS, DOGS AND FERRETS BE PROHIBITED ON THE PROPOSED LOTS WITH THE EXCEPTION OF THE APPLICANTS', H AND E CANNING, WHO SHALL BE PERMITTED TO KEEP THEIR EXISTING CATS AND DOGS FOR THE LIFE OF THOSE ANIMALS.

(iii) THAT ONLY ONE DWELLING BE PERMITTED ON EACH LOT CREATED IN THE SUBDIVISION.

ALL COSTS ARE TO BE MET BY THE APPLICANT.

REASONS FOR THE DECISION

1. The effects of the proposal are considered minor and capable of mitigation through conditions of consent. Written approval and submissions of support were received with the application and during the notification period.

2. The proposal satisfies the decision criteria for non-complying activities under Section 105 and 104 of the Resource Management Act 1991. The proposal is consistent with the purpose of the Act and promotes sustainable management of natural and physical resources.

3. The policies and objectives of the Transitional District Plan (Bay of Islands component), Plan Change No. 4, and the Proposed Far North District Plan support the proposed subdivision.

4. The land is non-horticultural and therefore the Regional Policy Statement is not in conflict with the proposed subdivision.

5. The only part of all necessary documents needed to be considered with which the proposal fails to meet are the rules of the Plan. The rules of the Plan attempt to protect elite soils which are not located on the application site. The intentions of the rules are not compromised by this proposal.

INFORMATION AS TO RIGHTS OF APPEAL

THE RESOURCE MANAGEMENT ACT 1991

1. You may appeal against Council's decision by lodging a Notice of Appeal with the Registrar of the Planning Tribunal and with Council within 15 working days of the receipt of Council's decision by you or the person who filed the application/submission on your behalf. The Notice of Appeal must also be served on the consent holder, and on any person who made a submission on the application, within 5 working days of it being lodged with the Tribunal. Sections 120 and 121 of the Act explain the right to appeal, and the procedure.

2. The appeal must be in the form prescribed by Form 7 of the Resource Management (Forms) Regulations 1991.

3. The address of the Planning Tribunal is:

   PO Box 5027
   WELLINGTON

   phone: (04) 915-8300
   fax: (04) 915-8303

   The Notice of Appeal must be accompanied by the appropriate filing fee.

4. If you are in any doubt as to the procedure to be following it is strongly recommended that you obtain professional advice. Incorrect procedure may result in your appeal being struck out.

FAR NORTH DISTRICT COUNCIL

Kawakawa Service Centre
Main North Rd, PO Box 11, Kawakawa
Telephone: (09) 404-0371 Fax: (09) 404-1544

Our reference RC 1970200

If calling, please ask for
Resource Planner

13 January 1997

R J Donaldson & Assoc
P O Box 211
KERIKERI

Dear Sir/Madam

RE: RC 1970200 APPLICATION BY H D & E A CANNING TO SUBDIVIDE

I enclose a copy of Council's decision on the above application.

The Resource Management Act provides a right of appeal to the Planning Tribunal, in respect of the whole or any part of the Council's decision. This must be lodged within 15 working days of receipt of this decision. An information sheet on appeals is attached.

Yours faithfully

W E Smith
RESOURCE PLANNER

Ref:\3.let

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING The subdivision of Lot 2 DP 90079 Blk VI, Kerikeri S.D North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the appropriate new titles.

SCHEDULE

(1) That no vegetation clearance shall be undertaken within area 'A' shown as bush protection.

(2) That cats, dogs and ferrets be prohibited on the proposed lots with the exception of the applicants, H & E Canning, who shall be permitted to keep their existing cats and dogs for the life of those animals.

(3) That only one dwelling be permitted on each lot created in the subdivision.

SIGNED:

by the FAR NORTH DISTRICT COUNCIL
under delegated authority.

DATE: 15 April 1998

RC 1970200

DELEGATED AUTHORITY

DATE: 16/12/97

NAME OF APPLICANT: Canning

NUMBER: 1970200

DISTRICT SCHEME: KTA / MANG / WHG / HOK / (BOI) / KHE

CHECKED BY RESOURCE PLANNER _____ AND IS IN ORDER FOR SIGNING AND SEALING. 16-12-97

COMMENTS:

DATE RECEIVED AT ENVIRONMENTAL SERVICES: 16/12
DATE SIGNED UNDER DELEGATED AUTHORITY: _____
DATE SENT TO KAIKOHE FOR SEALING: _____

DATE SEALED: / / _____

PLAN RETURNED TO: RJD
DATE: 23-12-97

PHOTOCOPY RETURNED TO: KAWAKAWA / KAITAIA / RAWENE

Far North District Council

NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:	Rosina Tomes
Address of proposed activity:	23 Waipapa West Road, Waipapa
Legal description:	Lot 2 DP 187111
Description of the proposal (including why you need resource consent):	To establish a minor residential unit in the Rural Production Zone where consent is triggered for: - Minor Residential Unit (Controlled) - Setback from Boundaries (Restricted Discretionary) - Sunlight (Restricted Discretionary) - Setback from Water (Discretionary) Consent is also sought to vary an existing consent notice which restricts the number of house holds on the property to 1. It is propsoed that this is varied to enable the minor dwelling.
Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):	1. Building Locations Plan, 23 Waipapa West Road, Waipapa, prepared by Dalton Design, dated 20/02/2025 2. Building Elevations Plan, 23 Waipapa West Road, Waipapa, prepared by Dalton Design, dated 20/02/2025 3. Extract from Compac homes flier with Floor Plan details, not dated. 4. On-site wastewater report, JAS Civil Limited, dated March 2025 5. 6.

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

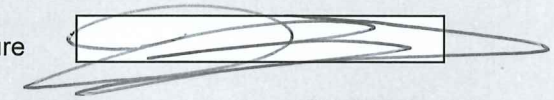
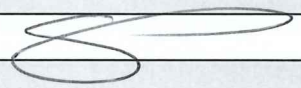
1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:	Joni Louise Bradshaw Picken & Scott Butler Picken
Address of affected property including legal description	13 Waipapa West Road, Waipapa
Contact Phone Number/s and email address	Daytime: 0274168803 email: jonibp@hotmail.co.nz

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature		Date	12/3/25
Signature		Date	12/3/25
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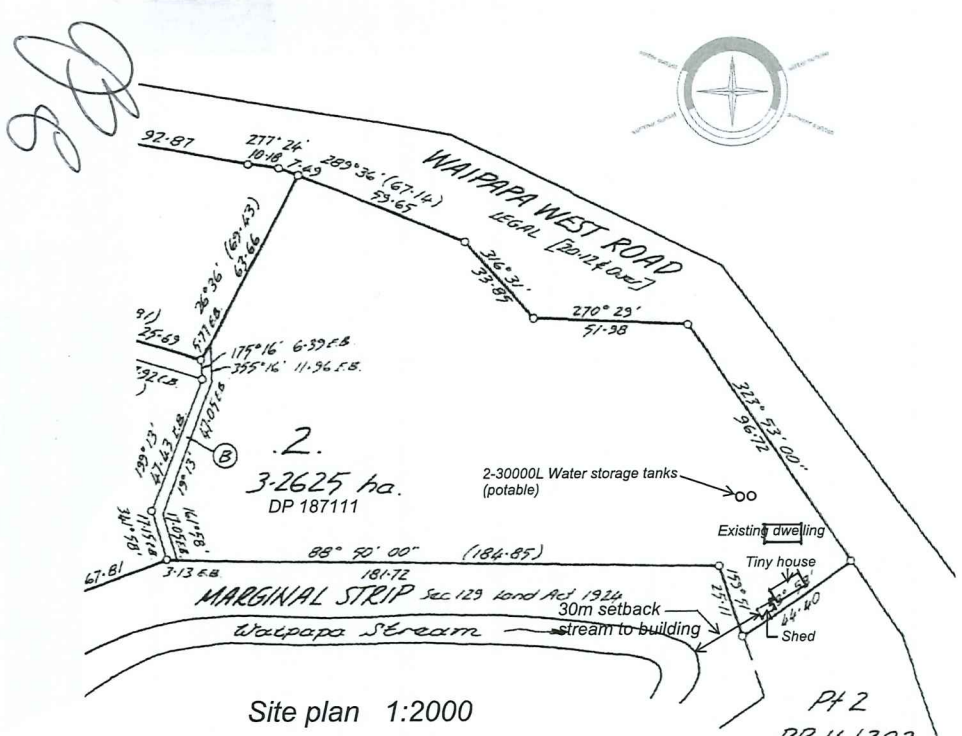
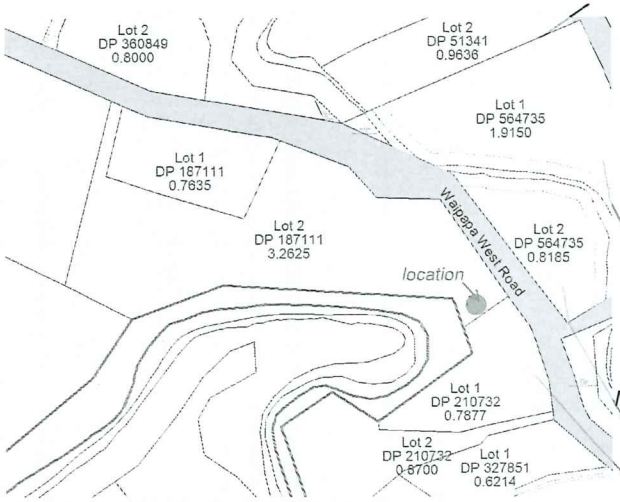
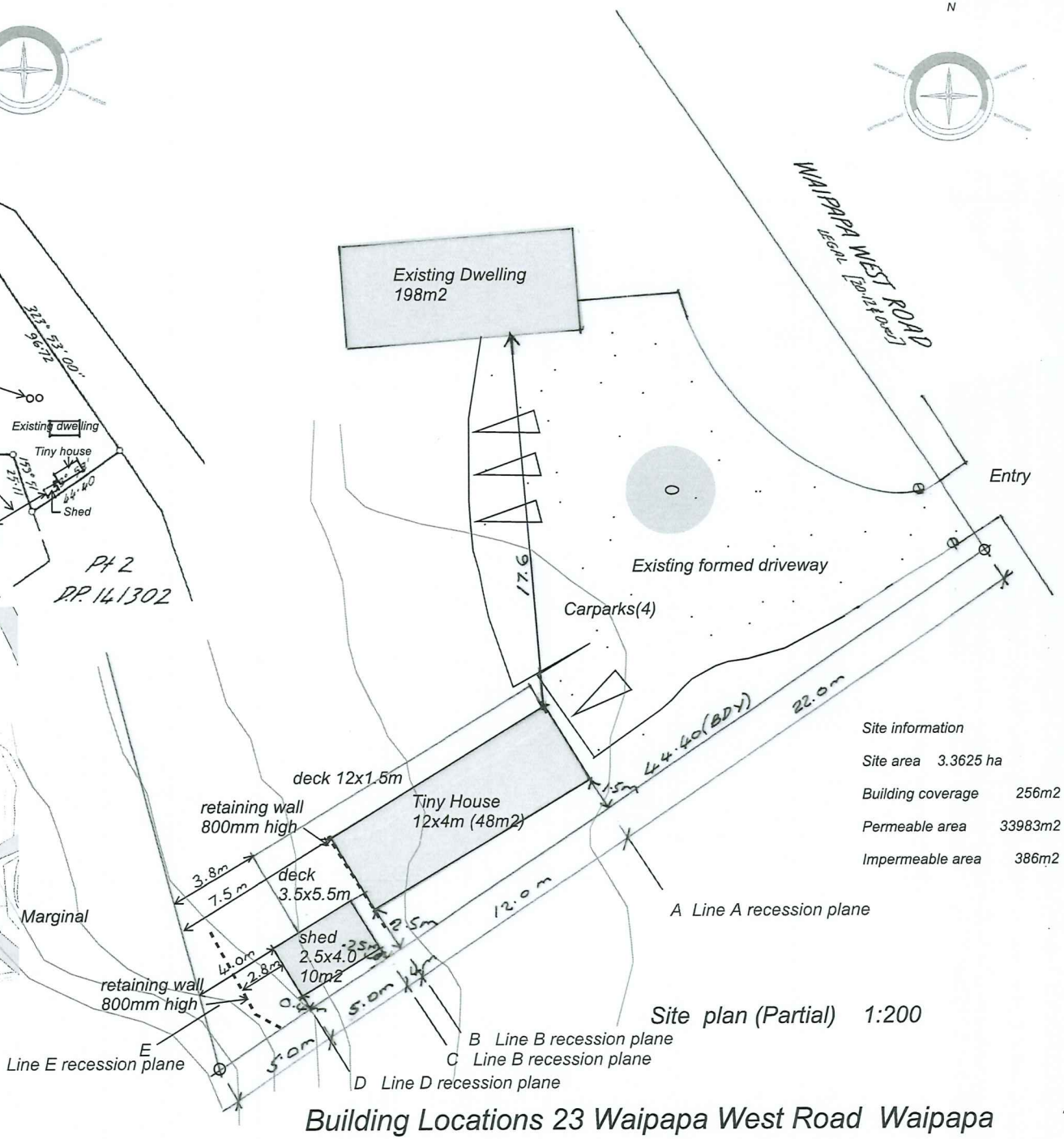


Site plan 1:2000



Location plan 1:4000



Site plan (Partial) 1:200

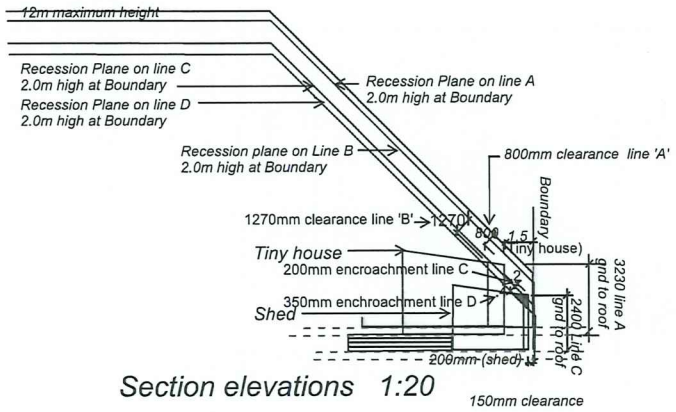
Site information

Site area	3.3625 ha	
Building coverage	256m2	0.8%
Permeable area	33983m2	98%
Impermeable area	386m2	1.2%

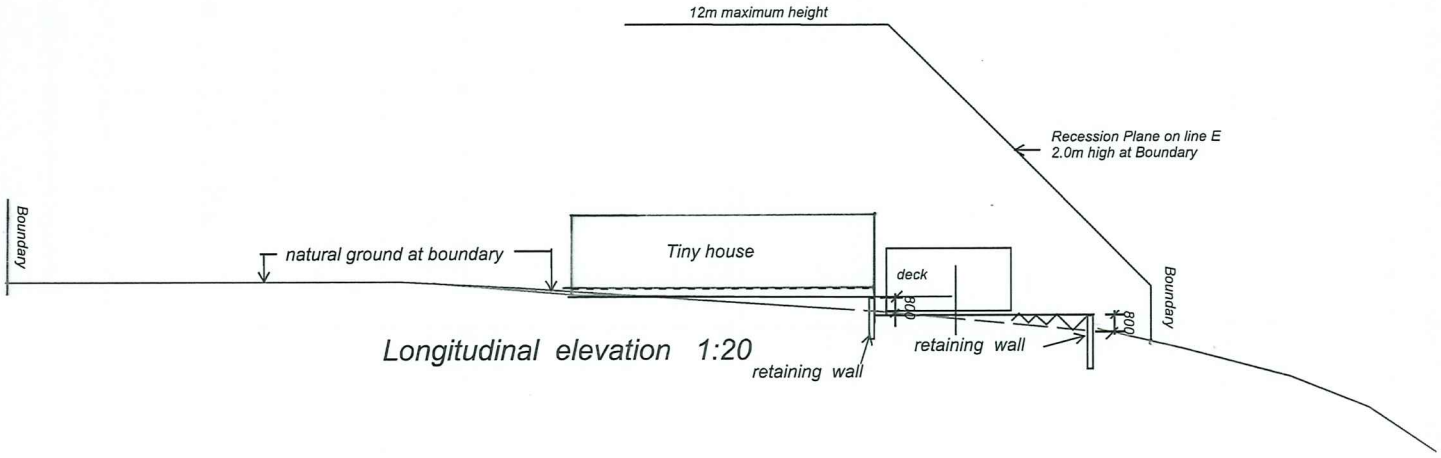
Dalton Design
e: Parawai@xtra.co.nz
ph: 0273325027

Building Locations 23 Waipapa West Road Waipapa

20/02/2025



Section elevations 1:20



Longitudinal elevation 1:20

Dalton Design
e: Parawai@xtra.co.nz
ph: 0273325027

Building Elevations 23 Waipapa West Road Waipapa 2

0/02/2025

JAS Civil Ltd

ON-SITE WASTEWATER, DESIGN, TREATMENT AND DISPOSAL REPORT

MARCH 2025

Author: Mark Smith

Owner information

Owner's Name:	Rosina Tomes
Physical Address:	23 Waipapa West Rd, Waiapap
E-mail:	rosina@ragtrade.co.nz
Phone:	021 2134033

Contractor's Information

Name:	Adams Drainage
Registration No.	15071
Phone:	021 499492

Designer's Information

Designer's Name:	Mark Smith NZCE (civil)
Mailing address:	P.O. Box 1261, Whangarei
Phone:	027 4346180

Design Overview:

Rosina Tomes is proposing to locate a 1 bedroom tiny house onto the property at 23 Waipapa West Road, Waipapa.

She has a composting toilet for the black water and requires a separate greywater system.

The property consists 33,625m² (3.3ha).

She is proposing to use a package from "waterless composting toilets NZ" which have specifically designed system for grey water.

The Waipapa stream is located over 30m to the west of property.

System Design Parameters

Number of bedrooms	1
Combined occupancy Allowance	2
Daily Occupant Flow Allowance	95
Total Daily Flow Rate	190
Soil Category	4
Design Loading Rate (DLR)	2.5
Disposal Field Area	$76m^2$
Reserve Disposal Field Area	$23m^2$
Water Supply	Tank
Water Reduction reuse Water conservation fixtures	Grey water system proposed No garbage grinder unit allowed for in system. No bath tub.

NRC Permitted Discharge Compliance

Feature	Proposed Regional plan	Available
Identified Stormwater Flow Path	5m	50m
River, Lake Pond, Stream, Dam or Wetland	15m	30m
Existing water bore	20m	N/A
Property Boundary	1.5m	5.0m
Groundwater	0.6m	>1.0m
10m Buffer Zone	Slopes $>10^0$	N/A
Floodplain Exclusion	5% AEP	>5% AEP
Reserve Area Required	30%	50%

Soil Assessment:

The soil is described as a gravelly, clayey silt.
We have classified it as cat 5.

System Design

It is proposed to use a greywater system from "waterless composting toilets NZ"

Refer to attached brochures

Sizing of land application area

Total dripper line area = $\frac{\text{total daily discharge}}{\text{Design irrigation rate}}$

= 190 / 2.5

= 76m²

Environmental Impact

The proposed AES Bed is positioned lower than the dwelling to allow gravity feed.

No historical findings or archaeological artifacts have been uncovered during excavations.

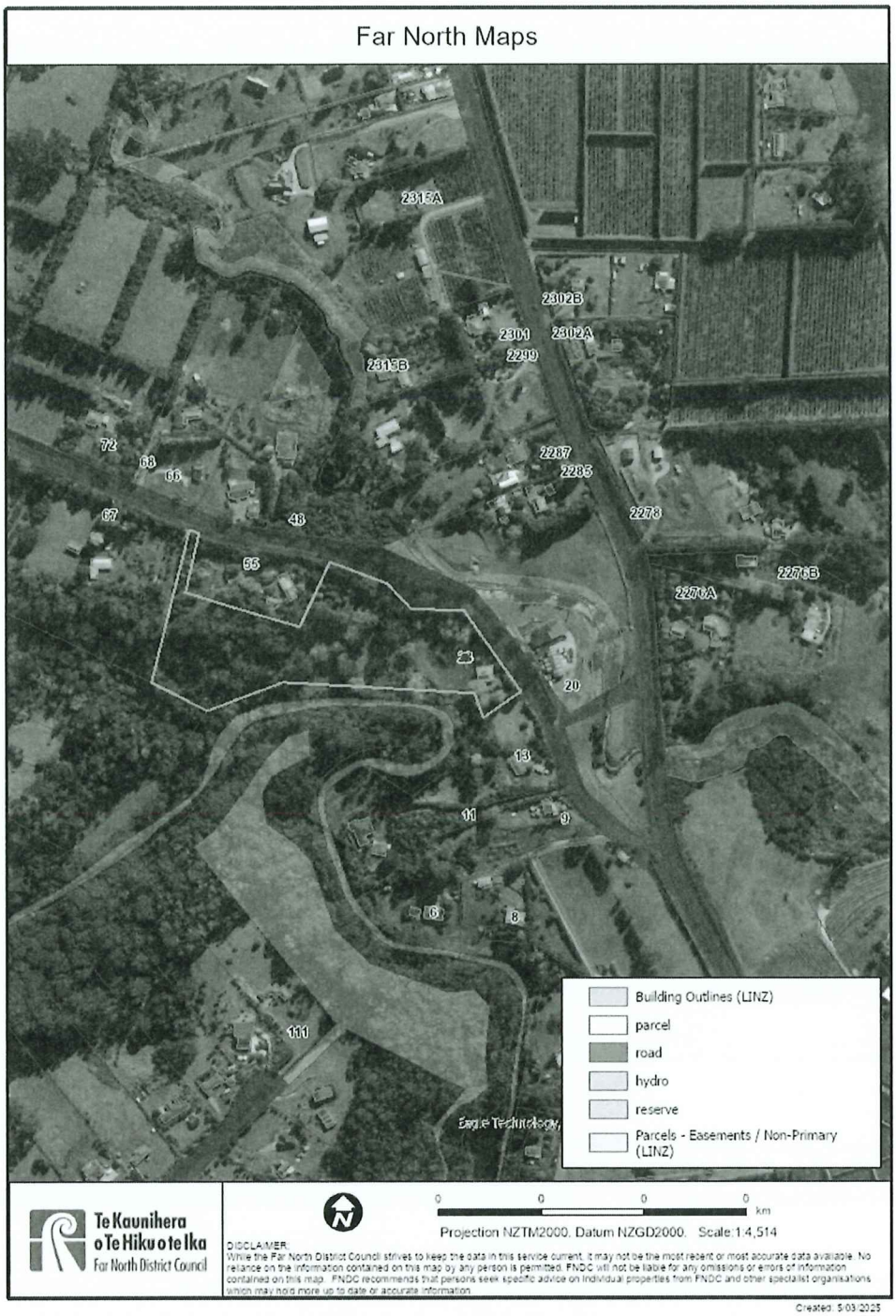
There will be insignificant environmental effect from the proposed system.

No Livestock may access the property.

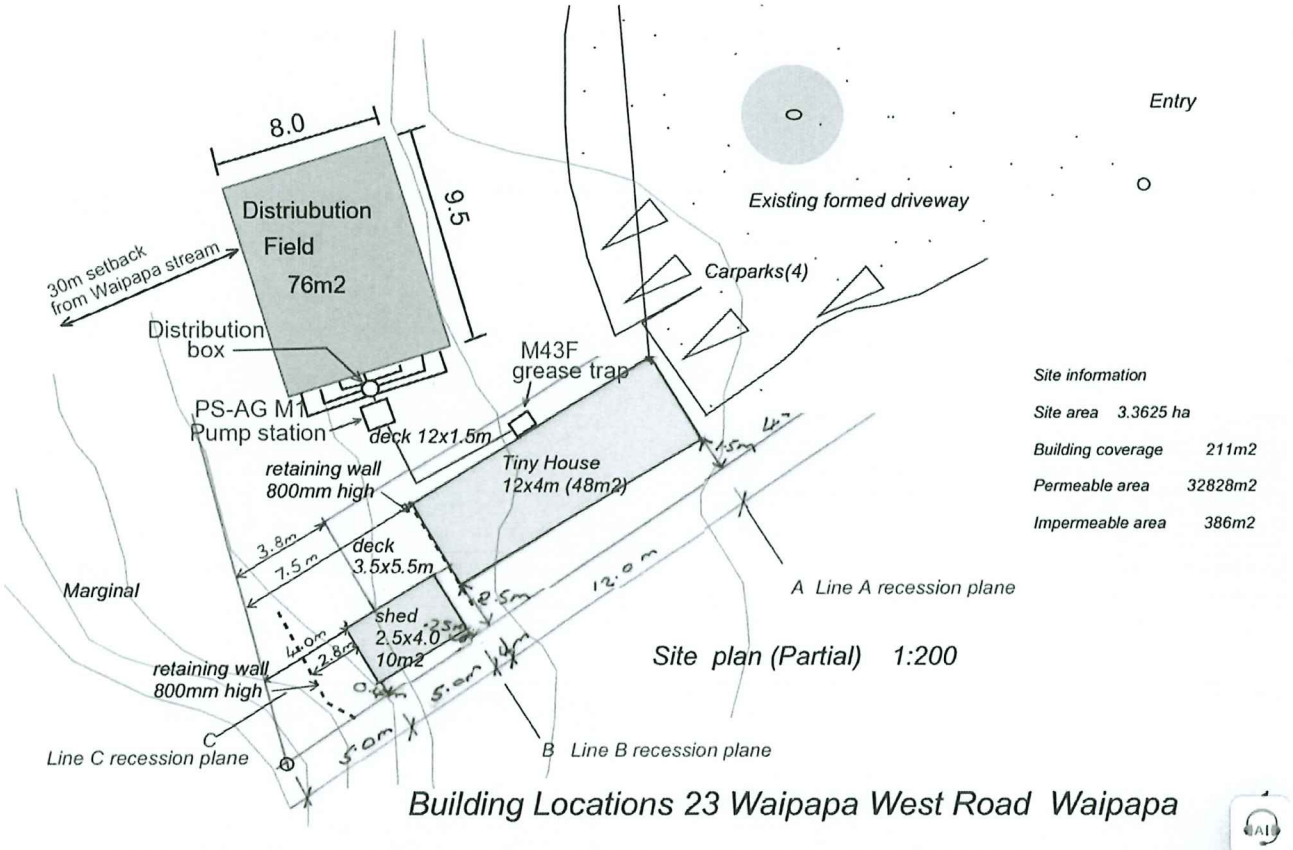
Mark Smith

NZCE (civil)

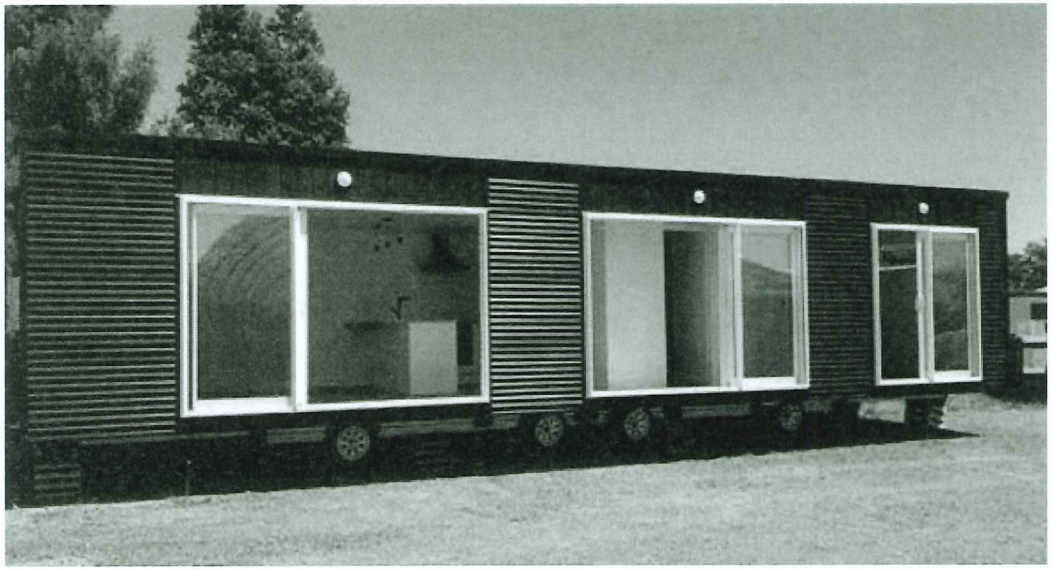
Location Map



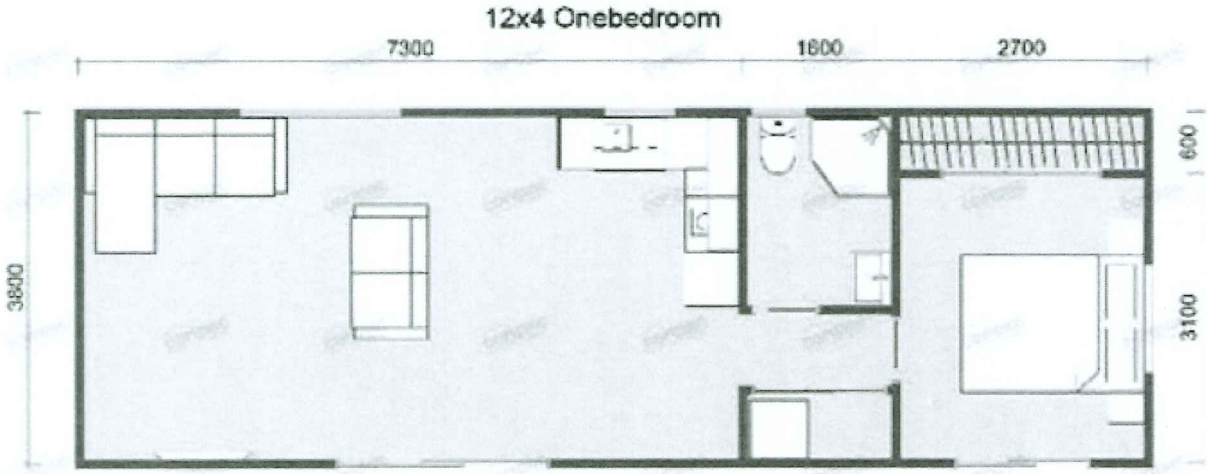
System Layout



Building Locations 23 Waipapa West Road Waipapa



- Standard 12 x 4m
- One Bedroom



Rochelle

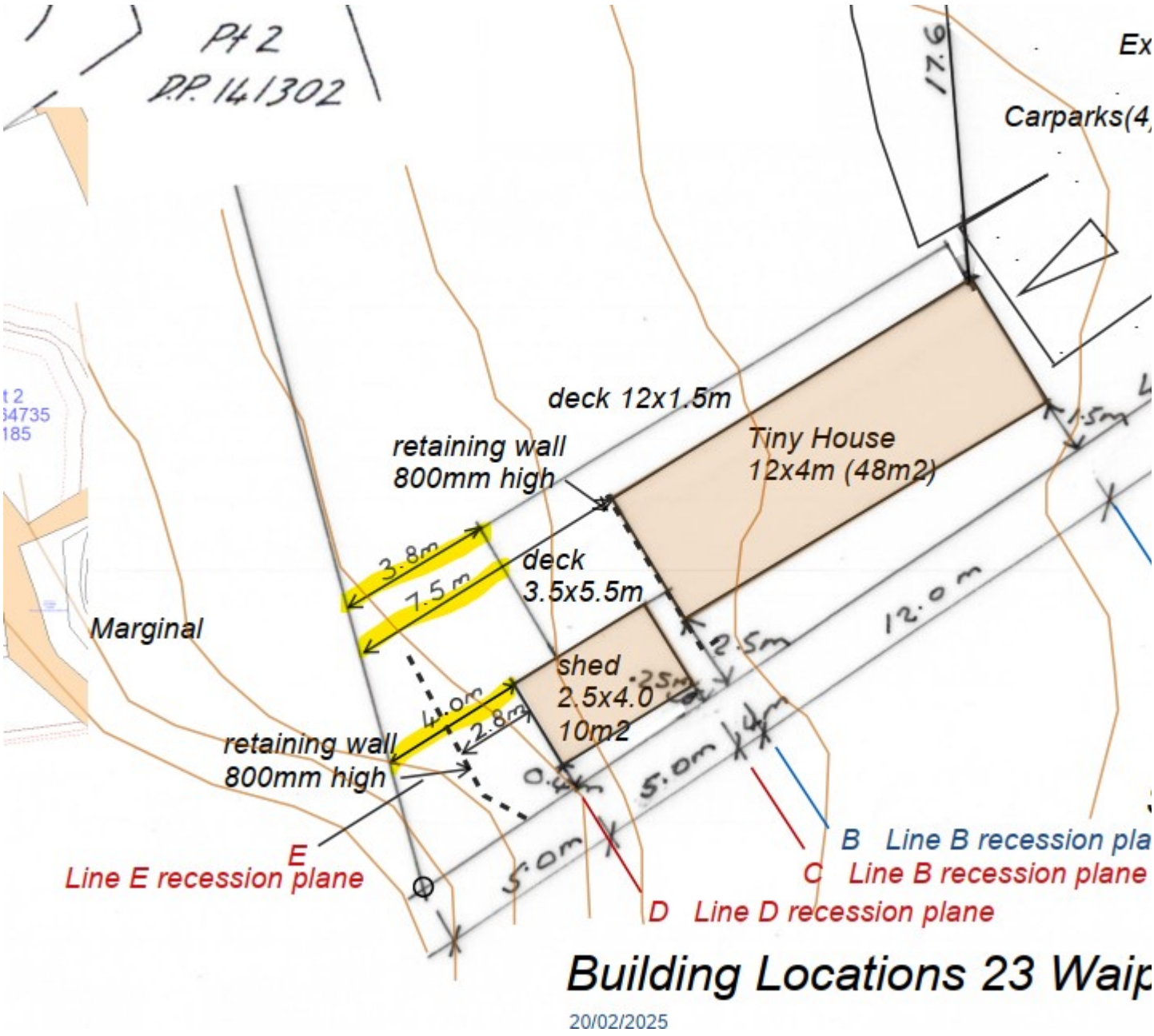
From: Rochelle
Sent: Wednesday, 26 March 2025 11:59 am
To: 'Lara McDonald'
Cc: Catherine Johnson
Subject: RE: Setback from boundary approval

Good Morning Lara,

I have highlighted the applicable setbacks for you below.

The permitted standard in the RP zone is 10m. The MRU will be setback 7.5m, with the deck being setback 3.8m.

They also have a small 10m2 shed which they have established 4m from the site boundary.



The reason why the MRU has been established in this location is because the site has Highly Versatile Soils. This area was a driveway and parking space such that it had already been removed from production. It has been pushed closer to the boundary to ensure there is still sufficient parking and maneuvering space for the existing dwelling and this tiny home.

With MRU's they also need to be located within close proximity to the main dwelling (30m). So, our options were to either try and place it within a steep bush clad area to the north of the existing dwelling, in the location we have chosen or at the bottom of the house closer to where the marginal strip boundary is, and where the site was previously undeveloped. The chosen location was determined to be the most appropriate location.

The MS in this area is generally mown grass, maintained by the site owners. There are a couple of trees, but I don't believe fire risk is something of concern.

If possible I would appreciate some comments up front regarding this otherwise once we lodge it will be placed on hold until we receive some direction from DoC.

Regards,

Rochelle Jacobs
Director / Senior Planner

Offices in Kaitaia & Kerikeri
09 408 1866 | 027 449 8813
Northland Planning & Development 2020 Limited

From: Lara McDonald <lmcdonald@doc.govt.nz>
Sent: Wednesday, March 26, 2025 9:59 AM
To: Rochelle <rochelle@northplanner.co.nz>
Cc: Catherine Johnson <cajohnson@doc.govt.nz>
Subject: RE: Setback from boundary approval

Hi Rochelle,

The plan isn't clear to me how close the building is to the MS. Can you please outline why the development needs to be situated this close to the boundary?

We would require that any boundary issues are managed by the landowner, and council will need to consider the rule regarding vegetation and fire. I suggest we wait to receive it from FNDC as an affected party, so can provide more fulsome comments from our RMA team, if they consider it meets DOC's engagement threshold.

Thanks,
Lara

From: Rochelle <rochelle@northplanner.co.nz>
Sent: Tuesday, 11 March 2025 2:52 pm
To: Lara McDonald <lmcdonald@doc.govt.nz>
Cc: Catherine Johnson <cajohnson@doc.govt.nz>
Subject: Setback from boundary approval

Good Afternoon Lara,

I am currently writing up a retrospective resource consent for a tiny home that has been established at 23 Waipapa West Road, Waipapa.

Consent is required for the following rule infringements:

- Minor Residential Unit (Controlled)
- Setback from Boundaries (Restricted Discretionary)
- Sunlight (Restricted Discretionary)
- Setback from Water (Discretionary)

Consent is also sought to vary an existing consent notice which restricts the number of households on the property to 1. It is proposed that this is varied to enable the minor dwelling.

We are seeking approval from the department for the existing shed, tiny home and retaining walls to be located within 10m of the Marginal Strip adjoining the Waipapa Stream.

If you could please review the attached plans and associated wastewater report and confirm if the department is satisfied such that written approval can be supplied that would be much appreciated.

If you do require any further information, please do not hesitate to contact me.

Kind regards,

NORTHLAND
PLANNING & DEVELOPMENT

Rochelle Jacobs
Director / Senior Planner

Offices in Kaitaia & Kerikeri
09 408 1866 | 027 449 8813
Northland Planning & Development 2020 Limited

PRELIMINARY SITE INVESTIGATION (PSI)

SUBDIVISION & CHANGE OF USE
LOT 2 DP 187111, WAIPAPA

Bay Ecological
CONSULTANCY LTD

PO BOX 229, Kerikeri
0211518315

PSI - SUBDIVISION & CHANGE OF USE ACTIVITIES
LOT 2 DP 187111
23 WAIPAPA WEST RD, WAIPAPA

DATE: FEBRUARY 2023

SOIL SAMPLING AND REPORT WRITING: REBECCA LODGE SQEP

Limitations

Bay Ecological Consultancy Ltd performed the services in a manner consistent with the normal level of care and expertise, however the conclusions made are unable to account for unknown buried contaminants or unknown historic structures or activity that may have resulted in isolated soil contamination. The PSI methodology was subject to financial constraints, (meaning a reasonable but not exorbitant level of professional fees incurred), but is considered to derive a reputable insight into past land use and contamination to form the corresponding conclusion.

Bay Ecological Consultancy Ltd accepts no responsibility for errors or omissions in any data obtained from certified labs, regulatory agencies, verbal or written statements from outside parties,, or negligent land use resulting in situations contrary to the findings and scope of this assessment (for example burning of CCA treated timber). Significant time lapse before change of use occurs after subdivision, or activities undertaken after the date of sampling that may result in situations contrary to the findings of this report cannot be accounted for.

Should further information become available regarding the conditions at the site, Bay Ecological Consultancy Limited reserves the right to review the report in the context of the additional information.

Opinions and judgments expressed in this report are based on an understanding and interpretation of regulatory standards at the time of writing and should not be construed as legal opinions. As regulatory standards are constantly changing, conclusions and recommendations considered to be acceptable at the time of writing, may in the future become subject to different regulatory standards which cause them to become unacceptable.

Due to the variable nature of soils between sample locations, limitations of chemical analysis, and again financial constraint within reason, there is no investigation that is thorough enough to completely describe a site's characteristics or preclude the presence of materials at the site that presently or in the future may be considered hazardous.

The recommendations are intended to determine a general suitability for the subject activity and therefore may not be used as a recommendation for extended use or alternative activities on that site.

Where any conclusion requires remedial work, the parties carrying out remediation shall be responsible for all such works, including health and safety precautions as appropriate. Bay Ecological Consultancy Limited disclaims all liability whatsoever for any loss or damages, if any, suffered by any party as a result of any remediation works undertaken.

This document is provided for sole use of the client and is confidential to it. No responsibility is accepted for any use a third party makes of this document or damages suffered as a result of decisions or actions based on this document.

Confidentiality

This report is prepared for subdivision and associated change of use activity. Under no circumstances should this report or information contained therein be distributed, reprinted or reproduced in any form without the author's approval.

CONTENTS

EXECUTIVE SUMMARY **4**

INTRODUCTION **5**

SITE DESCRIPTION **7**

FIG 1: SITE LOCATION 7

TABLE 1: SITE DESCRIPTORS 8

FIG 2: PROPOSED SCHEME (APRIL 2022) 2220849-RMACOM 9

SITE LAYOUT 10

FIG 3: SITE LAYOUT GOOGLE 2022 10

SITE INSPECTION **11**

SITE PHOTOGRAPHY 11

FIGURE 4: PROXIMATE NRC SELECTED LAND USE REGISTRY PROPERTIES 15

ENVIRONMENTAL & GEOPHYSICAL SETTING 16

TABLE 2: PREDICTED BACKGROUND SOIL CONCENTRATIONS HEAVY METALS 17

HISTORICAL SITE USE **18**

TABLE 3: CHRONOLOGICAL SITE HISTORY 18

SAMPLING & ANALYSIS PLAN (SAP) **21**

CONCEPTUAL SITE MODEL 21

POTENTIAL CONTAMINANTS 21

EXPOSURE PATHWAYS 22

RECEPTORS 22

FIG 5: PRELIMINARY QUALITATIVE CSM 22

DESIGN 23

TABLE 4: SAMPLE ANALYSIS PLAN 24

FIELD METHODOLOGY 25

FIELD QA/QC 25

LABORATORY QA/QC 25

DATA QA/QC 25

BASIS FOR GUIDELINE VALUES 26

TABLE 5: GUIDELINE VALUE TABLES B2 - $SCS_{(health)}$ APPENDIX B MFE USERS GUIDE (2012) 26

TABLE 6: GUIDELINE VALUE TABLES B3 - $SCS_{(health)}$ APPENDIX B MFE USERS GUIDE (2012) 26

RESULTS AND INTERPRETATION **27**

COMPOSITE SAMPLING – BROAD EXTEXT 27

TABLE 7: RESULTS OF ANALYSIS G & H BROAD EXTENT COMPOSITES HEAVY METALS IN COMPARISON WITH $SCSs_{(HEALTH)}$ RURAL RESIDENTIAL 25% PRODUCE 27

TABLE 8: RESULTS OF ANALYSIS BROAD EXTENT COMPOSITES ORGANOCHLORINES IN COMPARISON WITH $SCSs_{(HEALTH)}$ RURAL RESIDENTIAL 25% PRODUCE 28

COMPOSITE SAMPLING – FOCUS AREAS 29

TABLE 9: RESULTS OF ANALYSIS COMPOSITES A; B; O & S SERIES IN COMPARISON WITH $SCSs_{(HEALTH)}$ RURAL RESIDENTIAL 25% PRODUCE 29

QA/QC & INDIVIDUAL SAMPLES ANALYSIS 29

TABLE 10: RESULTS OF ANALYSIS INDIVIDUAL HEAVY METALS SAMPLES, REPLICATES & RPD 30

TABLE 11: RESULTS OF AQUEOUS ARSENIC RINSATE SAMPLE 30

SAMPLING OBSERVATIONS 30

SITE CHARACTERISATION & DISCUSSION 31

FIG 6: REVISED QUANTITATIVE CSM 31

PSI CERTIFYING STATEMENT 33

APPENDIX 1: HISTORICAL AERIAL IMAGERY 34

APPENDIX 2: SAMPLE PLAN 40

APPENDIX 3: HILLS LABORATORIES RESULTS & ANALYSIS METHODS 41

APPENDIX 4: TITLES & PLANS 44

EXECUTIVE SUMMARY

This Preliminary Site Investigation has been prepared in respect to Resource Management Regulations (2011) National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS). Its objective is a broad investigation to determine any risk to human health from soil contaminants as a result of *subdivision* and subsequent *change of use* activities of the subject site (approx. 3.2625ha,) described as **LOT 2 DP 187111 (117B/275) 23 Waipapa West Rd, Waipapa**.

It has been requested by the owners Lindsay Hart-MacDiarmid & Robin MacDiarmid in response to a Sec 92 request from Council (29/11/22) in regard to **Application No: 2220849-RMACOM**-

5. Please provide a Preliminary Site Investigation report.
Section 4.0 of the application states that the north-western part of the site is shown on the FNDC HAIL sites map as orchard vineyard or other perennial crops

The area referred to was in macadamias, formerly a common crop in this area, with a pastoral history prior, best encompassed by HAIL activity

- **A10** Persistent pesticide bulk storage or use (HAIL List 2011)

The initial desktop review and site walkover determined 3 small stock focus areas, visible in aerial photography from the 1970s.

Reporting combined the qualitative and quantitative data obtained from both a desktop review and soil sampling to draw a conclusion as to the likelihood of a risk to human health resulting from the proposed activities.

No exceedance of the $SCS_{(health)}$ Residential 25% Produce was found, the appropriate standard regarding current and future use.

Therefore, it is considered ***highly unlikely there will be a risk to human health if the proposed activities of subdivision and change of use take place and these may proceed as a permitted activity in this regard.***

INTRODUCTION

This report has been prepared as part of a subdivision proposal and incorporates the requirements for a Preliminary Site Investigation Report as per Contaminated Land Management Guidelines 1: Reporting on Contaminated Sites in New Zealand (MfE 2021 revised).

The objective of this report is a broad investigation to determine whether there is any risk to human health from soil contaminants as a result of subdivision, in comparison with the $SCS_{(health)}$ Residential 25% Produce scenario, the appropriate standard regarding current and future residential use. *Change of use* for proposed Lot 1 is also considered.

It has been undertaken at the request of the owners of LOT 2 DP 187111, Lindsay Hart-MacDiarmid & Robin MacDiarmid. Information currently available about the property in question has been reviewed to establish potential contaminants, likely exposure pathways and receptors to form a Conceptual Site Model (CSM).

Sources included

- Review of available historic information and photographs
- Preliminary site walkover and inspection
- Review of available NES- CS reporting in the immediate area for any information of relevance
- Review of regional and local authority information
- National soil databases and reports

A sampling and laboratory analysis regime was then designed and incorporated into the study as an initial screening to substantiate the desktop review or infer the need for further investigation. A site specific Health and Safety plan was designed prior to any physical works being undertaken.

The purpose of the sampling was to:

- Assess soil conditions and identify the presence of contaminants (if any) in shallow soils across the site
- Assess the potential risks to human health associated with potential soil contamination

Upon receipt, the laboratory results were evaluated against the $SCS_{(health),}$ and compared to published datasets and professional experience of local soil characteristics, allowing revision of the Conceptual Site Model and site characterisation. A conclusion on the likelihood of a risk to human health was then made.

The NES-CS (2011) is focused on the protection of human health and broader potential effects of contaminants on ecological receptors is not considered at this reporting level.

There has been no previous HAIL reporting from the Lot.

REGULATORY REQUIREMENT

The requirement for this PSI is prompted by a subdivision proposal for Lot 2 DP 187111, approx. 3.2625ha, in the Rural Production Zone to produce an additional Lot, as per the *Resource Management* (*National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*:

5 APPLICATION

(1) (a) when a person wants to do an ***activity*** *described in any of the subclauses (2) to (6) on* ***a piece of land*** *described in subclauses (7) or (8)*

The proposed **activity is** subdivision ***Subclause (5)*** **of Regulation 5**:

(5) An activity is subdividing land, which means subdividing land-

(a) That has boundaries that are identical with the boundaries of the piece of land

(b) That has all of the piece of land within its boundaries

(c) That has part of the piece of land within its boundaries

The proposed building of a house will allow subsequent *change of use* activity of proposed Lot 1, under **Subclause (6) of Regulation 5** from production, in theory, to residential occupation -

(6) *An activity is changing the use of a* ***piece of land****, which means changing it to a use that, because the land is described in subclause (7), is reasonably likely to harm human health.*

As part of a production parcel from a critical period of persistent agrichemical usage in NZ, and more recent orchard use **the piece of land** is considered the accessible exposure area to which **Subclause (7)(c)** is applicable:

Subclause (7)(c)

It is more likely than not that an activity or industry described in the HAIL is or has been undertaken on it.

The primary HAIL activity considered was:

- **A10** Persistent pesticide bulk storage or use (HAIL List 2011)

Subclause (8) If a piece of land described in **subclause (7)** is production land, these regulations apply if the person wants to—

(d) change the use of the piece of land in a way that causes the piece of land to stop being production land.

Subdivision and change of use are permitted activities only if they uphold **Regulation 8:**

8 PERMITTED ACTIVITIES

(4) *Subdividing land or changing the use of land is a permitted activity while the following requirements are met:*

(a) A preliminary site investigation of the land or piece of land must exist

(b) The report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land

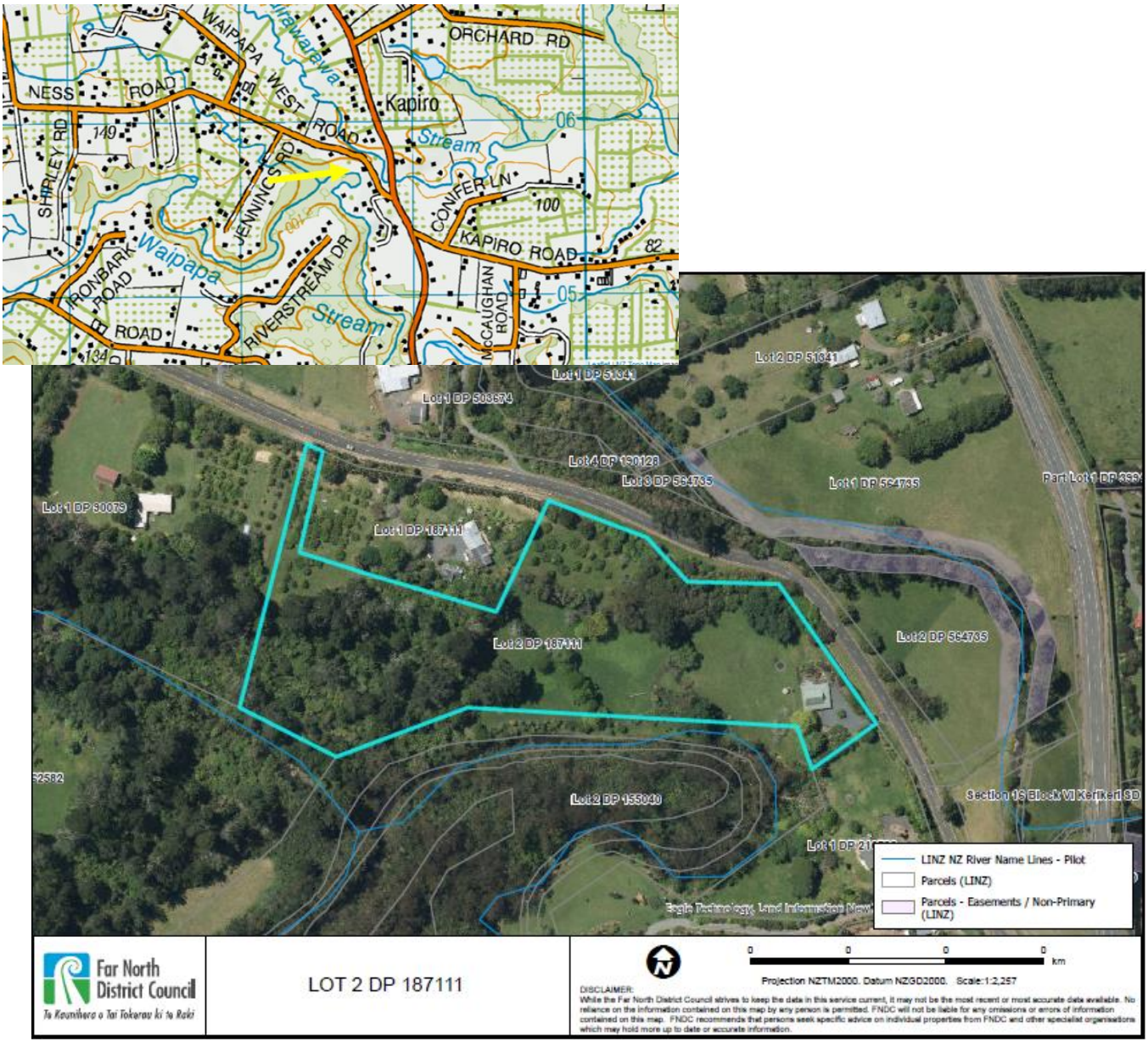
(c) The report must be accompanied by a relevant site plan to which the report is referenced

(d) The consent authority must have the report and plan

SITE DESCRIPTION

The subject property is located on the south side of Waipapa West Rd, approx. 230m from where it adjoins State Highway 10. It is outlined below and illustrated on the scheme plan (*FIG 2*).

FIG 1: SITE LOCATION

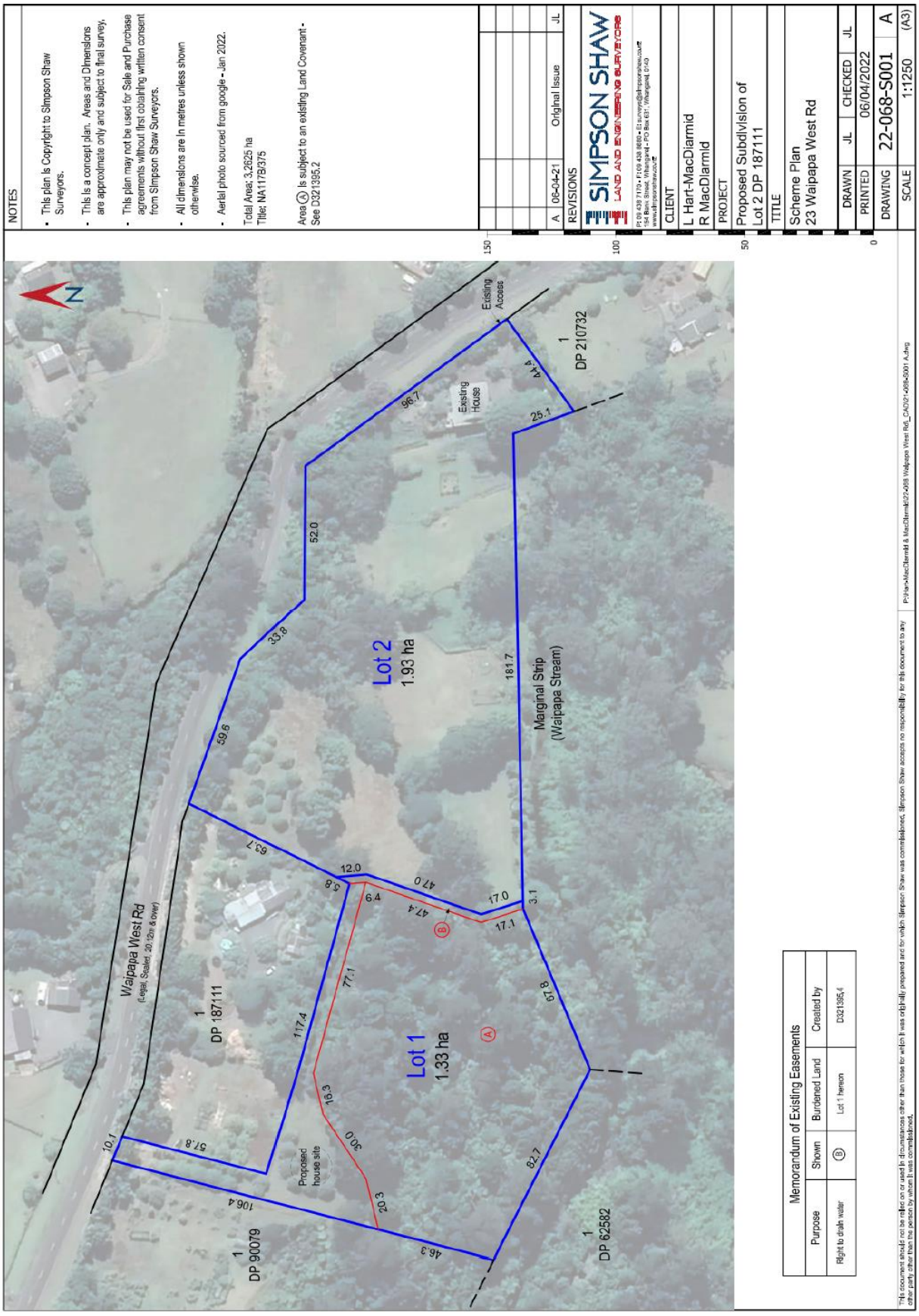


The proposal will meld seamlessly with an increasing concentration of recent subdivision and subsequent residential lifestyle occupation within the Waipapa West Rd area.

TABLE 1: SITE DESCRIPTORS

DESCRIPTION	LOT 2 DP 187111	
OWNER	LINDSAY HART- MACDIARMID & ROBIN MACDIARMID	
ADDRESS	23 WAIPAPA RD, WAIPAPA	
RECORD OF TITLE	NA117B/375	
AREA	TOTAL AREA 3.2625ha	
ZONING	RURAL PRODUCTION	
COVER	**PROPOSED LOT 1**	**PROPOSED LOT 2**
	1.33ha Remnant macadamia orchard on northern upper contour adjacent Waiapapa West Rd Grazed paddocks- low intensity, pet sheep Southern boundary to Waipapa Stream Esplanade Reserve	1.93ha Existing house, access, residential garage lawn, gardens & septic Remnant macadamia orchard on northern upper contour adjacent Waiapapa West Rd Grazed paddocks- low intensity, pet sheep Pond Southern boundary to Waipapa Stream Esplanade Reserve
POTENTIAL TRIGGERING HAIL ACTIVITY	**A10**- PERSISTENT PESTICIDE BULK STORAGE OR USE (HAIL 2011) **A8**- LIVESTOCK DIP OR RACE	
RELEVANT SCS$_{(health)}$	RURAL RESIDENTIAL 25% PRODUCE	
PROPOSED ACTIVITY	SUBDIVISION ANTICIPATED CHANGE OF USE (PROPOSED LOT 1)	
SAMPLE LOCATIONS	REFER *APPENDIX 2* : SAMPLE PLAN	
SOIL TYPE	PG – PUNGAERE FRIABLE CLAY	

FIG 2: PROPOSED SCHEME (APRIL 2022) 2220849-RMACOM



SITE LAYOUT

The site is currently a lifestyle property divided between a residential portion and a dominant pasture character with an approximately 1ha bush block, predicted ecosystem type *WF9 Taraire tawa podocarp* [1], typical of lowland gentle hillslopes and gullies on orthic oxidic soils derived from basalt.

The Lot runs east west, naturally contained between Waipapa West Rd to the north and Waipapa Stream to the southern boundary. The river is 3rd order at its interaction with the Lot. A pond on proposed Lot 2 appears to be formed historically from a spring, with hydrology suggested in aerial photography (*refer Appendix 1).*

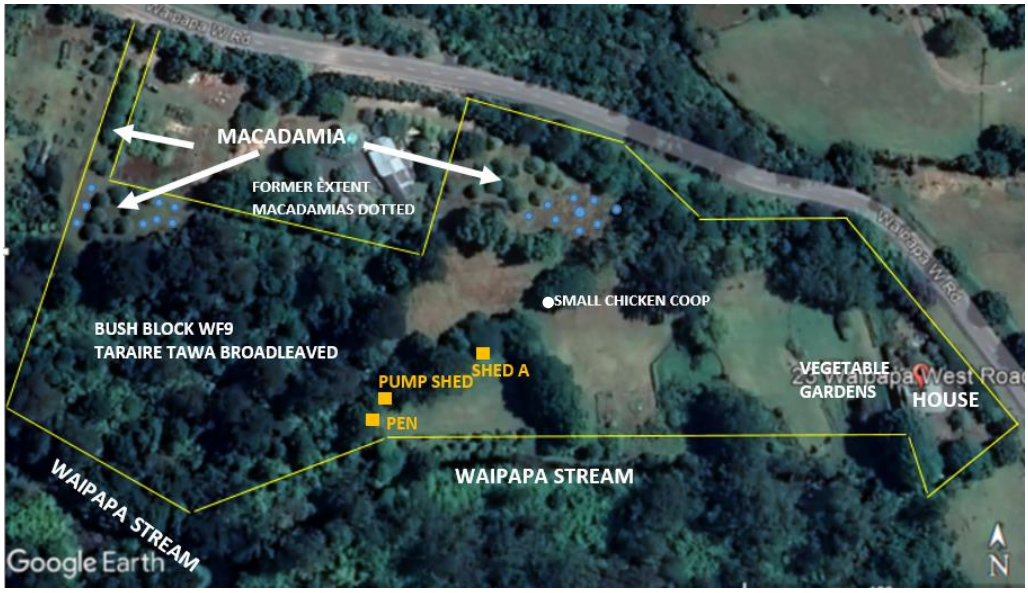
The subdivision proposal seeks to take advantage of the existing layout with the current residence at the very eastern edge and the remainder in grass and vegetation. This includes a shelter belt separating the Lot from the road, additional internal shelterbelts and specimen trees and the bush block on proposed Lot 1.

An area of former macadamia orchard is remnant on each proposed Lot adjacent Waipapa West Rd. On proposed Lot 2 there are two sheds and a pen, visible in aerial photography from the 1970s. They have the apparent character of a chicken coop/open shed (SHED A), pump house and yard/ pen. Their small size not imply intensive large scale usage, but potentially a distinct influence on soil character. The pen and pump house in particular were of interest as this configuration with a water source is frequently associated with stock treatment, which during that period was associated with organochlorines and potentially lead arsenate earlier.

Proposed Lot 2 also includes the current driveway, septic, gardens and lawn.

Features are shown in *Fig 3* below, small sheds as indicated by orange squares and visible in aerial photography *Appendix 1.*

FIG 3: SITE LAYOUT GOOGLE 2022



[1] https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer
Podocarp, broadleaved forest of abundant taraire, with occasional rimu, miro, northern rātā, tawa, kohekohe, hīnau and rewarewa, and with pukatea and kahikatea commonly in gullies. Locally includes tōtara, pūriri and tōwai.

SITE INSPECTION

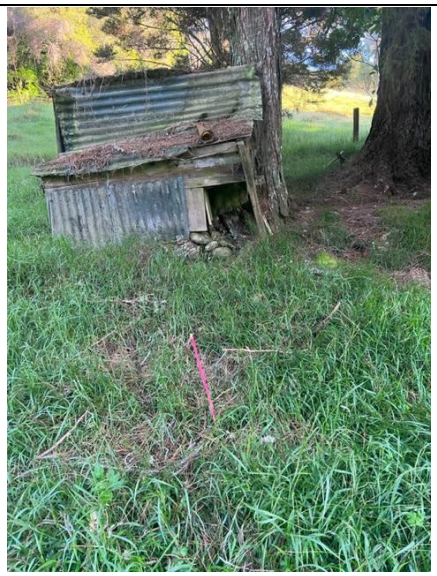
The overall site has a simple rural lifestyle character and is well kept. The walkover with owner Robin MacDiarmid and later sampling period revealed no visible signs of contamination by way of odour, ground staining, ash, unexpected bare soil, ACM fragments on soil surface, or unusual plant stress. Grass cover in the paddocks is dense and healthy throughout. There are no stored chemicals, associated orchard or mechanical waste, or bulk timber or waste burial.

SITE PHOTOGRAPHY

	**PHOTOGRAPH A** Entrance to proposed Lot 1 from Waipapa West Rd remnant macadamias in long grass
	**PHOTOGRAPH B** Looking northwest through remnant macadamia proposed Lot 1. Trees formerly covered a wider area

	**PHOTOGRAPH C** **Looking northeast across proposed lot 2 macadamia block, denser remnant than proposed Lot 1**
	**PHOTOGRAPH D** Looking southwest down from upper contour macadamia block proposed Lot 2 to bush block
	**PHOTO E** **Shed A chickens/ sheep; roof visible in aerials**

	**PHOTO F** **Pump shed, concrete floor adjacent bush block, associated with pen**
	**PHOTO G** **Remains of pen below pump shed toward stream**
	**PHOTO H** **Broad pasture and shelter belts Proposed Lot 2. Healthy grass growth**

	**PHOTO I** **Looking south over healthy broad pasture proposed Lot 2 toward pond in distance and Waipapa Stream beyond**
	**PHOTO J** **House higher use area gardens and long grass/ lawn**
	**PHOTO K** **Very small old chicken coop proposed Lot 2**

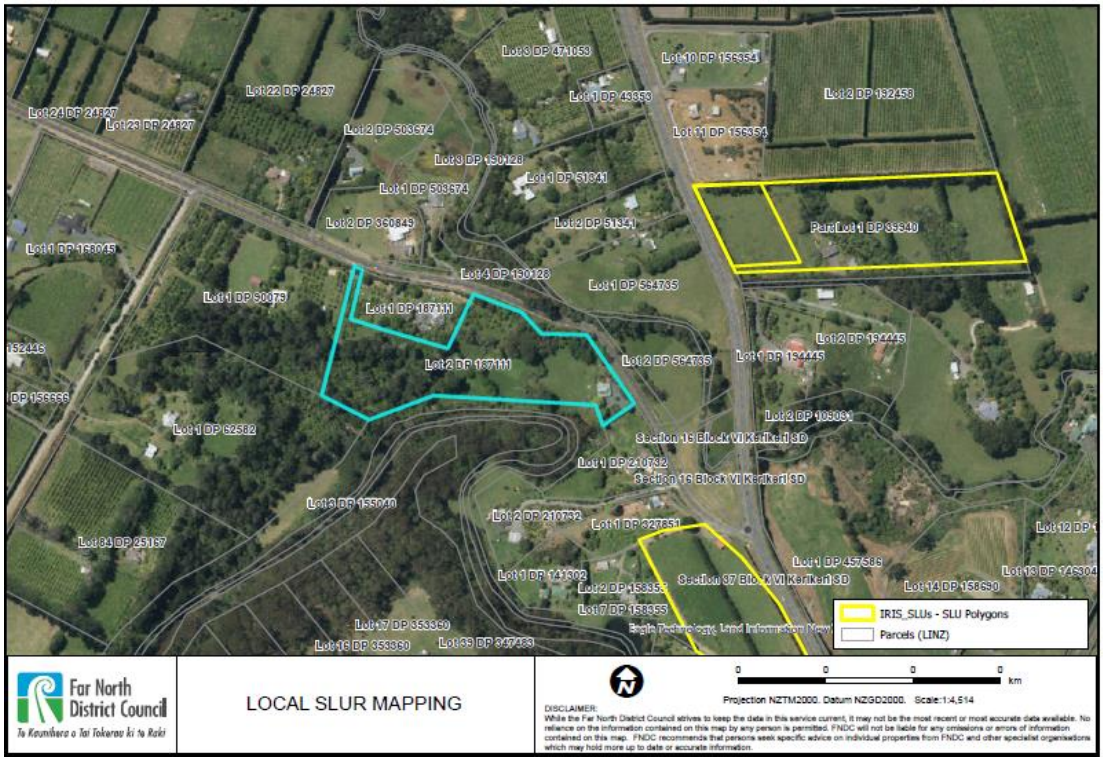
SURROUNDING LAND USE

Historic photos illustrate production use of the immediate area in Waipapa West from the 1950s to a matrix of residential and production, with a more recent lifestyle character.

The site is not illustrated on the NRC Selected Land Use Register (SLUR). These does not mean there has been no HAIL activities undertaken, rather that NRC has no knowledge of it. Investigations are only triggered by the activities of subdivision, change of use or earthworks requiring application to Council.

SLUR sites shown proximate are mapped *A10: Persistent pesticide bulk storage*. The majority of the wider Waipapa West/ Pungaere Rd area was at one time in orchard or horticulture and this is not unexpected. None of these are considered to have any influence on site soils.

FIGURE 4: PROXIMATE NRC SELECTED LAND USE REGISTRY PROPERTIES



ENVIRONMENTAL & GEOPHYSICAL SETTING

The site contour slopes south from approx. 106m. at Waipapa West Rd to to the lower elevation of the Waipapa Stream Esplanade Reserve at 94 m.s.l.

The site soils are defined as Pungaere Gravelley Friable Clay (PG), old volcanic basalt soils of the Kiripaki suite[2], moderately drained.

Excess stormwater currently sheet flows via natural contour. The pond on proposed Lot 2 with hydrological connection to the Waipapa Stream appears formed from natural spring, visible in historic photography.

Depth to groundwater on the lower contour is estimated -4.8m from the closest registered bore on neighbouring Lot 1 DP 62582 to 25m elsewhere along Waipapa West Rd on higher elevation and similar geology.[3]

As there have previously been no published background levels for Northland, results are often compared to the soil data for the Auckland Region of similar geological origin. Recently, predicted background heavy metals soil concentrations have been published for Northland for as part of wider national reporting[4]. Results for the sites basalt soils are given below, although it should be noted these are based on a limited number of samples in an area of 5339 km^2. Background concentration for other soil types in the immediate area may vary e.g. sandstone or mudstone parent material.

These predictions were developed from geostatistical analysis of trace element data from regional councils, national soils database and GNS Science, identifying associations with geological parameters adapted from the GNS Science QMAP geological map dataset. The premise is that underlying geology is generally regarded as a major contributor to the geochemical signals in soils and surficial material. They are intended to provide a "first pass" initial assessment of background levels. It is noted that the accompanying report to this dataset recommends further refinement of results to accommodate local soil types. Natural chromium levels in Kerikeri volcanics, local Okaihau Gravelley Clay soils in particular, can be at the upper 95% limits or above the dataset predictions.

Although chromium values given are total chromium, they are taken to represent CrIII rather than CrVI, as the only valency state normally found in aerobic soils (MfE 2011 Methodology).

[2] www. lris.scinfo.org.nz/layer/48066-nzlri-soil accessed25/1/2023

[3] https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Bore_Logs_/FeatureServer

[4] Cavanagh, J. McNeill, S. Arienti, C. & Rattenbury, M. (2015) Background soil concentrations of selected trace elements and organic contaminants in New Zealand. Envirolink Tools Grant: C09X1402. Landcare Research

TABLE 2: PREDICTED BACKGROUND SOIL CONCENTRATIONS HEAVY METALS[5]

PBC - Predicted Background Soil Concentrations, New Zealand

35.1878°S 173.9069°E

PBC - Predicted Background S

0.0m

Chemical4	basalt
Chemical4a	basalt
Area_km2	5339.104805
As_n	41
As_Medpred	2.12
As_U95pred	8.87
Cd_n	18
Cd_Medpred	0.101
Cd_U95pred	0.51
Cu_n	35
Cu_Medpred	25.27
Cu_U95pred	108.3
Cr_n	76
Cr_Medpred	26.56
Cr_U95pred	128.5
Pb_n	52
Pb_Medpred	15.5
Pb_U95pred	56.34
Ni_n	72
Ni_Medpred	13.74
Ni_U95pred	77.43
Zn_n	20
Zn_Medpred	71.29
Zn_U95pred	295.8

[5] https://lris.scinfo.org.nz/layer/48470-pbc-predicted-background-soil-concentrations-new-zealand/
Accessed 25/1/2023

HISTORICAL SITE USE

Information in this section has been obtained from a variety of public information sources including published and online, complimented by historic aerial photography. There has been no previous NES- CS reporting. The subject Lots were initially considered a HAIL site due to historic production, illustrated in the *Historical Aerial Photography Appendix 1*, corroborated by anecdotal information and a review of historic titles, refer *Appendix 4.*

In reference to the historical title search the following are considered relevant:

TABLE 3: CHRONOLOGICAL SITE HISTORY

DATE	RECORD OF TITLE	AREA	OWNERS	USE
7/7/1969	18C/77	4.1418ha (Lot 2 DP 61550)	R M Venables	Farmer
25/10/1978	45/293 &45/294	7.3240 (Lot 2 DP61550 & Pt Lot 2 DP 62582)	H & E Canning	Mixed production & Kids Camp
13/1/1980	47B/482	4.0550ha (Lot 2 DP 90079)	"	"
16/10/1998	117B/275	3.2625ha (Lot 2 DP 187111)	"	"
11/12/2014	"	"	Lindsay Hart-MacDiarmid & Robin MacDiarmid	Lifestyle

The site was owned by Henry White, originally a roading contractor. According to a review of local history (Pickmere 2008) Henry and his business partner Mr Limbrick, a land agent, arrived in Kerikeri in 1913 and purchased the established Waipapa store and hostel and the surrounding 493 acres. They went on to acquire a further 2000 acres in the area including land in the Pungaere and Waipapa West areas, which they developed and subdivided into diary and gum blocks, the primary industries in the Kerikeri area at the time. In the 1930s they followed a trend for the development of horticultural blocks in Kerikeri itself, subdividing the Waipapa West farmland into smaller blocks.

Farmer Mr RM Venables owned the subject site as part of several Lots in the 1960s. He subdivided then Lots 85 & 86 DP 24827 (CT 672/180 & 655/236) and sold one of the resultant Lots (Lot 2 DP 61550) to the Cannings in the 1970s, retaining the farmhouse and outbuildings on Lot 1 DP 61550. The Cannings undertook a subdivision/ boundary adjustment with Lot 87 DP 24827 to the east to create Pt Lot 2 DP 62582. Further rearrangement to create Lot 2 DP 90079 in 1980 was followed by a subdivision to create the current Lot 2 DP 187111, and Lot 1 DP 187111 smaller house Lot 7635m^2 adjacent Waipapa West Rd 1998.

The current dwelling was built in 1999 (BC -1990-870) with alterations underway currently (EBC- 2023-298). The property file also contains consent and sign off for a woodburner (BIC-2016-761-0). None of these are considered to have constituted a HAIL activity.

A seasonal childrens educational bush camp was run by the Cannings onsite, making the most of the bush block and stream, with clear pasture for tents. The facilities were located on current Lot 1 DP187111. A 1973 scheme for the approved proposal illustrates the layout and also annotates *nut trees* and *grazed pasture* onsite *(refer Appendix 4).*

A review of historic aerial photography is illustrated in *Appendix 1*.

The aerial photography illustrates the conversion from bush to pasture and later orchard. The bush block has been in cover largely throughout and is not considered a risk or any further in the scope of this reporting.

HISTORIC AGRICHEMICAL USAGE IN NZ

The subject Lot is considered a HAIL site due to the historic production use. Extensive use of persistent agrichemicals on production land in NZ occurred as routine over the last 100 years. By 1975, application of the majority of $SCS_{(health)}$ priority contaminants had been discontinued in NZ. However, use of persistent organochlorines were not completely deregistered until 1989[6]. Within this time frame there was production activity across the wider site as established above.

The persistent contaminants most frequently found at high levels in NZ soils that have been subject to production are considered to be copper, arsenic, lead and DDT residues.[7] Government endorsed spray programmes incorporated these as common products through the early and midcentury[8], prescribing treatment for growers and pastoral use as routine.

Arsenic pentoxide was a primary herbicide, widely used to combat the 4 early agricultural major weed species – gorse, blackberry, ragwort and native bracken. Lead arsenate was the most common poison for the control of chewing insects across all production sectors from the late 1800s until the advent of organochlorines in the 1950s, and finally withdrawn in the early 1970s. The most common compound form in NZ was $PbHAsO_4$, applied routinely in powder form and as a liquid. It is typically the cause of residual elevated arsenic in ex production soils.

Prolonged use, outdoor storage or incineration of CCA treated timber can also commonly contribute arsenic to soil in sufficient quantities to fail $SCS_{(health)}$ scenarios, with accompanying elevations of chromium and copper.

Residual lead levels may also result from fertilisers and fuel additives, as well as lead paint from deteriorated early structures or repainting/ alteration of a residence.

Cadmium (Cd) is commonly elevated in NZ production soils in comparison to national natural background levels ($0.16mg/kg^{-1}$). Natural variation exists due to underlying geology and weathering. The prolonged or extensive use of phosphate fertilisers represents the major anthropogenic source of elevated cadmium on production land throughout NZ[9] especially for the period of use 1952–1996, during which the site was in active production. During this era the phosphate rock (PR) used in the manufacture of superphosphate in New Zealand was naturally enriched with Cd up to 550 mg Cd/kg^{-1} P[10]. In addition to Cd, phosphate fertiliser may also contain Pb, As, Cr and Cu as trace element impurities.

Organochlorines e.g DDT; Lindane, were widely used to control chewing and sucking insects such as thrips and leafroller, pests of orchards. This was not confined to vegetable or fruit production. DDT and other organochlorines were often mixed with fertiliser and lime for broad use on pastoral insects e.g.

[6] James, T. & Gaw, S. (2015a) Review of potential soil contamination issues from pesticide use in productive land and sports fields. Envirolink Report 1472 TSDC 103 for Tasman District Council

[7] Gaw, S. K (2006) Trace element and DDT concentrations in horticultural soils from the Tasman, Waikato and Auckland regions of New Zealand. Science of the Total Environment 355: 31– 47.

[8] Aitkinson, J.D et al (1956) Plant protection in New Zealand. R. E. Owen, Government Printer, Wellington. 699 pp.

[9] McDowell, R. (2012) The rate of accumulation of cadmium and uranium in a long-term grazed pasture: Implications for soil quality. New Zealand Journal of Agricultural Research 55(2):133-146

[10] MAF (2008) Report One: Cadmium in New Zealand Agriculture. Report of the Cadmium Working Group August 2008

grassgrub and actively used throughout New Zealand for stock treatment between1945 – 1961. They then underwent restrictions with last registered use of DDT extending into the 1980s. It was not until 1989 that all persistent organochlorines were deregistered in NZ. Dieldrin, listed in the $SCS_{(health)}$ and known even in the 1950s to be the most toxic of the available chlorinated compounds[11], was used in NZ to control stock, pastoral and horticultural pests until the 1960s.

Copper based fungicides were widely used in historic horticultural spray programmes, particularly in the form of Bordeaux mixture. Prolonged use, continuing in the industry to the present, has resulted in residual levels of up to 523 mg/kg^{-1} in NZ production soils and orchards typically have the highest levels compared to other horticultural uses[12].

As part of a former production land the potential inputs from both farming and orchard/ horticulture during the historic production period were considered primarily organochlorines and the inorganic metals. It is assumed potential contaminants would have been distributed homogenously across orchard and the pasture prior from general use.

Typical modern agrichemicals associated with macadamia orcharding including synthetic pyrethroids and organophosphates are not considered **persistent** under normal broad acreage conditions as defined by international criteria[13]. Additionally, given the length of time since the orchard may have been commercially treated they are not considered any potential risk in this investigation. Amendments during the Cannings ownership are considered very low- general NPK fertilizer on the trees and no bulk storage. Copper and cadmium are the most likely to show any elevation.

[11] Aitkinson, J.D et al (1956) Plant protection in New Zealand. R. E. Owen, Government Printer, Wellington. 699 pp.

[12] Gaw, S. K (2006) Trace element and DDT concentrations in horticultural soils from the Tasman, Waikato and Auckland regions of New Zealand. Science of the Total Environment 355: 31– 47.

[13] United Nations Environmental Programme (UNEP) & European Union Definition - half life greater >6 months in soil (Reg. EC No 1107/2009)

SAMPLING & ANALYSIS PLAN (SAP)

CONCEPTUAL SITE MODEL

Development of the conceptual site model (CSM) incorporated a review of site specific information and generalities of historic production use land in New Zealand to profile the site's *potential* contaminants, receptors and the exposure pathways between.

- Without sampling and subsequent analysis there is no sure way of determining whether a given site is contaminated or not [14]
- Investigation need only be undertaking for contaminants of concern, particular to a site
- In the absence of a complete exposure pathway of a contaminant above a specified concentration to a receptor there is no risk to human health.

As part of a former production parcel the potential inputs from during the historic production period were considered primarily organochlorines and the inorganic metals primarily as per HAIL (HAIL LIST 2011) category

- **A10** *Persistent pesticide bulk storage or use including sports turfs, market gardens, orchards, glass houses or spray sheds*

Current opinion is that although ***A10*** description includes specific land uses it is not limited to these and further landuses or activities that involve bulk storage or use also include plant nurseries, forestry and agricultural land including pasture and cropping[15] .

The small structures, primarily pump house and pen associated with livestock were considered to be encompassed within this activity as the site walkover and sampling site visit elucidated no further structures or landscape features associated with more intensive use constituting high risk

- **A8** *Livestock dip or spray race operations*

None the less they were targeted for focused sampling.

POTENTIAL CONTAMINANTS

Potential contaminants were considered to be those that may be residual in the broad acreage from the period when persistent contaminants including those listed in the $SCS_{(health)}$ were routinely used as components of stock and pasture protection. These are the heavy metals and organochlorines. Cadmium and copper are likely inputs from the later usage of orchard.
Other than potential stock treatment it is assumed potential contaminants would have been distributed homogenously across the site prior from general pastoral and horticultural prior to the 1980s associated with the main period of concern for persistent amendments. Typical more modern agrichemicals

[14] ANZECC (1992) Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites. Australian and New Zealand Conservation Council.

[15] Taylor, J. & Gaw, S. (2015a) Review of potential soil contamination issues from pesticide use in productive land and sports fields. Envirolink Report 1472 TSDC 103 for Tasman District Council

associated with commercial orcharding and cropping include mineral oil or foliar soaps, synthetic pyrethroids and organophosphates. These are not considered persistent under normal broad acreage conditions as defined by international criteria.[16] The 1970s/ 1980s also carries a low but possible risk of additional lag use of DDT on pasture/ fruit trees despite being withdrawn.

Samples were not analysed for boron, mercury, PAHs (BaP), Pentachlorophenol (PCP) or the dioxins included in the $SCS_{(health)}$ as there were no indicators of significance commonly associated with their inputs.

EXPOSURE PATHWAYS

Soil ingestion and additionally produce consumption are the major $SCSs_{(health)}$ contaminant exposure pathways in residential scenarios. Soil ingestion can occur through inadvertent hand to mouth transfer, ingestion of soil attached to produce and mouthing of objects by children.

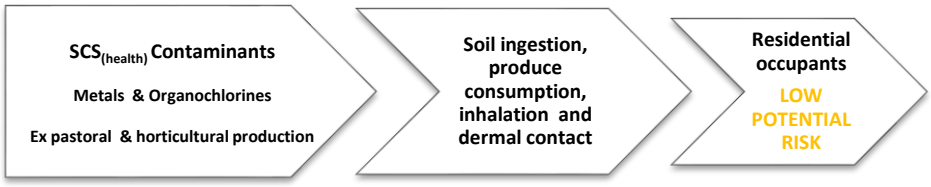
There is no onsite bore. The pond is not used for swimming or domestic supply. Ground and surface water investigation is only considered to be pertinent if terrestrial contamination is found and incorporated in any subsequent DSI.

RECEPTORS

Potential receptors were considered primarily to be current and future residential occupants.

The *qualitative* CSM illustrating ***potential*** contaminant – receptor pathways is considered as below:

FIG 5: PRELIMINARY QUALITATIVE CSM



In summary, it was considered that the subject Lot had *more likely than not* been associated with a production history potentially involving contaminants listed in the $SCS_{(health)}$. It was considered a low but potential risk, warranting soil sampling with sampling to substantiate the qualitative conclusion, quantifying and refining the potential risk to human health. This low risk assessment was bolstered by professional experience of broad pasture sampling; the small and obvious low intensity yard and the low input/ admendment requirements of macadamia orcharding.

It was considered a cost effective analysis to use the organochlorine and heavy metal suites to capture the common $SCS_{(health)}$ components of historic and persistent sprays, amendments and common ash contaminants.

[16] United Nations Environmental Programme (UNEP) & European Union Definition - half life greater >6 months in soil (Reg. EC No 1107/2009)

DESIGN

The CSM was considered in the design of the sample plan. Twenty nine samples were obtained from the site on the 7th February 2023 in accordance with NES-CS Users Guide (MfE 2012) and CLMG 5. (MfE 2021).

As a Preliminary Site Investigation, the data quality objective of soil sampling was to *substantiate the findings of the desktop study or infer the need for further investigation*.

Composite sampling was deemed acceptable as the data was not required to be subject to statistical analysis and any contamination expected to be low. Additionally, samples were allocated to composites subject to the same historical homogenous influence (e.g orchard/ non orchard; broad pasture; yard) and physical soil characteristics, with consideration to the future boundaries of proposed Lots.
Composites are prepared by the contracted laboratory (Hills Laboratories) from individual samples they receive and were maximum 4 samples.
As per the revised site investigation Guidelines (CLMG 5. 2021) it is no longer considered necessary to adjust the $SCS_{(heath)}$ Guideline value by the number of contributing samples in composite.

It was considered a cost effective analysis to use the broad OCP (organochlorine) suite from Hills Laboratories which captures the traditional organochlorines, along with the heavy metal suite also to capture the common $SCS_{(health)}$ components of historic sprays, amendments and the combustion of treated timber.
Modern pesticides were not considered a risk due to lack of persistence at normal application rates and length of time since orchard management.

Although not NES priority contaminants, zinc and nickel are included in the Hills Laboratories heavy metals analysis suite, and may provide insights into a site history's influence of soils. They may be elevated above background levels in residential and ex production land, although rarely above levels protective of human health. Zinc is an ingredient in stock treatment and common use fungicides to the present day. Nickel compounds were also used as fungicides from the 1960s. Nickel may also be contained as a trace element in fertilisers and is a contaminant in copper compounds. Where no New Zealand $SCS_{(health)}$ exists for a substance, a framework for adopting an international standard is given in CLMG 2. (MfE 2011). In this instance the relevant Australian NEPM (revised 2018) Health Investigation Levels (HILS) for Soil (Schedule B1, Table 1A(1), Residential A scenario) are referenced as best practice.

Surface samples (0-150mm) are generally used to quantify the contaminants listed in the $SCSs_{(health)}$, with 0-75mm commonly used to represent the direct human exposure pathway. Depths 0-150mm additionally cover the home produce exposure pathway, covering the significant root zone (CLMG.5. 2021). Therefore, samples were taken towards 150mm to incorporate both.
Due to the clay soils, leaching of potential contaminants is not expected to be significant below this depth and results are considered to indicate and/or represent the likely contaminant load at further depth for future earthworks.

MfE CLMG. 5 (2021) sampling methodology recommends one replicate per ten samples, intended to guide more rigorous DSI requirements. Replicate samples should be *individual samples taken from a single sample location* (CLMG 5. 2021). The majority of samples taken were designated as composites, with samples combined in the laboratory, and therefore subject to an inherently higher risk of exaggerated variation, not

necessarily pertaining to precision of field sampling technique. Three individual samples allocated to Shed A were replicated.

A rinsate sample was also taken within the course of sampling to assess the efficiency of equipment decontamination procedures. This sample was analysed for arsenic only, as a primary CoC and to restrain sampling costs. Competence of decontamination for one analyte should confer effective decontamination for other analytes.

Pasture sampling focused on obtaining broad even coverage of the Lot. Focus areas included Shed A, the pump shed and pen and the two macadamia blocks.
This is considered an acceptable cost effective distribution to give required reassurance and in light of the low risk.

Broad pasture organochlorine composites were designated from the samples at a lesser density to the metals to constrain costs in this preliminary stage, expected to be of lower risk respective of typical residue levels from pasture. If residues were detected above expected parameters from NZ reporting[17] (Auckland orchards median 2.23 mg/kg $^{-1}$) and professional experience, then more intensive testing would be appropriate. Organochlorines were not constrained allocated to the macadamia composites as these established outside the era of typical use. A potential layer of historic organochlorines use across broad pastoral extent, prior to definition of areas for orcharding or construction of the house, is captured by the Composite analysis A1;A4;B1; B4 and G3; G4; H1; H4.
Sample allocation is illustrated in the *Appendix 2 and* summarised below:

TABLE 4: SAMPLE ANALYSIS PLAN

COMPOSITE	CHARACTER	ANALYTES
A1-4	Macadamia block proposed Lot 1	Heavy Metals
B1-4	Macadamia block proposed Lot 2	Heavy Metals
G1-4	Broad extent paddocks	Heavy Metals
H1-4	Broad extent/house high use area	Heavy Metals
O1-4	Yard/Pen	Heavy Metals & Organochlorines
S1-3	SHED A periphery	Heavy Metals & Organochlorines
A1;A4;B1;B4	Broad extent early pastoral use	Organochlorines
G3;G4;H1;H4	Broad extent early pastoral use	Organochlorines
INDIVIDUAL SAMPLES		
Z1 & Z2 Replicate	Pump shed periphery	Heavy Metals
Z3 & Z4 Replicate	Pump Shed periphery	Heavy Metals
Z5 & Z6 Replicate	Pump shed Periphery	Heavy Metals
W1 Aqueous	QC Equipment Rinsate	Arsenic

[17] Gaw, S. K (2006) Trace element and DDT concentrations in horticultural soils from the Tasman, Waikato and Auckland regions of New Zealand. Science of the Total Environment 355: 31– 47.

FIELD METHODOLOGY

Soil collection was by grab sampling with a stainless steel trowel from a spade excavated hole, allowing visual inspection of the soil profile and characteristics.

Sample locations were measured from static points and any defining characteristics noted. Sampling tools were washed with distilled water between each soil extraction.

FIELD QA/QC

Individual samples were isolated in appropriate jars to prevent deterioration and labelled in accordance with Hills Laboratories submission requirements, including date, time and an individual sample name e.g. A1. Compositing of metals/organochlorine samples was undertaken by Hills staff under lab protocols and conditions. QA/QC audit was regularly made throughout the course of sampling with the sample plan, including cross check of sample names, required analysis and locations.

As described above in *Sampling & Analysis: Design*, sample technique QC included:

- Replication for metals as CoCs
  Z1 / replicate Z2; Z3 / replicate Z4; Z5 / replicate Z6

Replicates were blind, that is that the laboratory was not aware they were from the same sample location as the primary.

Relative percentage difference of 30-50% was considered to indicate sample technique precision dependant on the analyte.

A specific site Health & Safety Plan was prepared prior to undertaking field work documenting established and potential hazards, and outlining method to eliminate, manage or reduce associated risk. Key aspects were:

- Disposable 1500SMS overalls, nitrile gloves. PS2 mask.
- Protective footwear and sampling equipment was rinsed on site and gloves changed at each sampling point
- PPE bagged for appropriate disposal before leaving the site.
- Owner informed prior to entering the site (dogs; construction activities)

LABORATORY QA/QC

Hills Laboratories are IANZ accredited. The attached analysis report contains samples received, analytical methods used, dates received and reported. Results were within expected parameters for ex production land in the Waipapa and Pungaere areas.

DATA QA/QC

As sampling was intended as a broad initial screening, no statistical analysis has been performed and composite sampling has been incorporated (≤4 samples per composite as per CLMG 5 MfE 2021). Outsourcing analysis to a professional accredited laboratory, and systematic review of returned data reports, in conjunction with thorough field QA/QC, provides assurance that the returned results are accurate.

Results were compared throughout the project with national surveys, available background levels, and

expectation, based on professional experience in the immediate area.

BASIS FOR GUIDELINE VALUES

The human health guideline adopted is the NES $SCS_{(health)}$ Rural Residential 25% Produce standard as appropriate to the proposed subdivision, based on Lot size and rural residential or lifestyle character. It is a protective generic exposure scenario assuming potentially 25% of produce consumed could be grown onsite.

TABLE 5: GUIDELINE VALUE TABLES B2 - $SCS_{(health)}$ APPENDIX B MFE USERS GUIDE (2012)

Table B2: Soil contaminant standards for health ($SCSs_{(health)}$) for inorganic substances

	Arsenic	Boron	Cadmium (pH 5)[1]	Chromium		Copper	Inorganic lead	Inorganic mercury
				III	VI			
	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
Rural residential / lifestyle block 25% produce	17	>10,000	0.8	>10,000	290	>10,000	160	200
Residential 10% produce	20	>10,000	3	>10,000	460	>10,000	210	310
High-density residential	45	>10,000	230	>10,000	1,500	>10,000	500	1,000
Recreation	80	>10,000	400	>10,000	2,700	>10,000	880	1,800
Commercial / industrial outdoor worker (unpaved)	70	>10,000	1,300	>10,000	6,300	>10,000	3,300	4,200

Notes: All concentrations refer to dry weight (ie, mg/kg dry weight).

TABLE 6: GUIDELINE VALUE TABLES B3 - $SCS_{(health)}$ APPENDIX B MFE USERS GUIDE (2012)

Table B3: Soil contaminant standards for health ($SCSs_{(health)}$) for organic compounds

Scenario	BaP[1]	DDT	Dieldrin[2]	PCP	Dioxin	
					TCDD	Dioxin-like PCBs
	mg/kg TEQ	mg/kg	mg/kg	mg/kg	µg/kg TEQ	µg/kg TEQ
Rural residential / lifestyle block 25% produce	6	45	1.1	55	0.12	0.09
Residential 10% produce	10	70	2.6	55	0.15	0.12
High-density residential	24	240	45	110	0.35	0.33
Recreation	40	400	70	150	0.6	0.52
Commercial / industrial outdoor worker (unpaved)	35	1,000	160	360	1.4	1.2

RESULTS AND INTERPRETATION

The analytical results were received from Hills on the 15th February 2023 and compared with the $SCSs_{(health)}$ for Rural Residential 25% Produce as per Appendix B (MfE 2011 Methodology). Reference is made throughout to relevant national soil survey for data comparison. In any instance, noncompliant values are given in *red italics.*

- **Table 7** Composites G & H Series Heavy Metals
- **Table 8** Broad extent composites organochlorines
- **Table 9** Composites A; B; O & S Focus Areas Series
- **Table 10** Individual Replicate QA/QC Samples Heavy Metals, Replicates & RPD
- **Table 11** Rinsate Sample Arsenic

COMPOSITE SAMPLING – BROAD EXTEXT

TABLE 7: RESULTS OF ANALYSIS G & H BROAD EXTENT COMPOSITES HEAVY METALS IN COMPARISON WITH $SCSs_{(HEALTH)}$ RURAL RESIDENTIAL 25% PRODUCE

HEAVY METALS mg/kg^{-1} dry wt	COMPOSITE G1-4	COMPOSITE H1-4	$SCSs_{(health)}$ RURAL RESIDENTIAL 25%
ARSENIC	<2	<4	**17**
CADMIUM	0.15	<0.2	**0.8**
CHROMIUM	68	41	**290**
COPPER	20	14	**>10 000**
LEAD	8.7	8.7	**160**
NICKEL	13	9	**N/A**
ZINC	33	35	**N/A**

ALL RESULTS WERE COMPLIANT

Variation shown is a degree of anthropogenic influence on soil constituents, over a typical background field range for site *PG* soils, reflecting long term use of the site.

Arsenic (As) results were compliant, well below $SCS_{(health)}$ of 17 mg/kg^{-1} and aligned with median and 95% percentile background levels for Northland basalt derived soils[18] - 2.12 & 8.87 mg/kg^{-1} respectively.
Arsenic is the most commonly influenced analyte in a spectrum of production and domestic situations. A national review[19] found Auckland region ex production soils to range between 2- 34 mg/kg^{-1} As, while residual landscaping can result commonly in levels well in excess of the generic $SCS_{(health)}$ e.g. arsenic beneath NZ decks[20] constructed from CCA treated timber average 76 mg/kg^{-1} dry wt.

The cadmium results reflect a similar intensity of fertilizer use across all composites, over a national background of 0.10 mg/kg^{-1}, still well below the local 95% background of 0.51 mg/kg^{-1} and $SCS_{(health)}$

[18] Cavanagh, J. McNeill, S. Arienti, C. & Rattenbury, M. (2015) Background soil concentrations of selected trace elements and organic contaminants in New Zealand. Envirolink Tools Grant: C09X1402. Landcare Research

[19] Gaw, S. K (2006) Trace element and DDT concentrations in horticultural soils from the Tasman, Waikato and Auckland regions of New Zealand. Science of the Total Environment 355: 31– 47.

[20] ERMA (2003) Report on CCA Treated Timber

0.8mg/kg^{-1}, of no concern for residential purpose. Subtle variation is likely from fertilizer application.

Copper was below both expected background median of 25 mg/kg^{-1} and well below 95% background[18] 108 mg/kg^{-1}. Copper above background typically arises from the focused use of copper-based fungicides on horticulture. From professional experience this can easily give results >40mg/kg^{-1} from even minimal use over time. Auckland properties were found to have a median level of 207 mg/kg^{-1} where a warmer, wetter climate (i.e. Northland) results in higher residual copper levels in comparison to southern orchard regions e.g. Tasman[19].

Lead was consistently low for both composites, well within 53.64 mg/kg^{-1} 95% percentile expected background levels and published sources to 178 mg/kg^{-1} for ex production land.[19] [18]

Chromium was of no concern and within expectations for P*G* soils. Significant variation in Cr is often based on location and lithology rather than landuse. Note the Cr SCS$_{(health)}$ is given in *Table 7* as the more stringent Cr IV standard.

Nickel and zinc were of no concern to the SCS$_{(health)}$ standard. All zinc and nickel sampling results were within background range[18] and of no concern in comparison to the aforementioned Australian NEPM HILS -Zinc- 7400 mg/kg^{-1} & Nickel - 600 mg/kg^{-1}. (*Refer Sampling and Analysis: Design).*

A potential layer of historic organochlorines use across broad pastoral extent, prior to definition of areas for orcharding or construction of the house, is captured by the Composite analysis as follows in *Table 8.* The SCS$_{(health)}$ DDT represents total DDT isomers, or the sum of DDT and its breakdown metabolites DDE and DDD from laboratory analysis. All results were compliant – close to detection limits and very low compared to a median result of 1.28 mg/kg^{-1} recorded for ex orchard land in the Auckland region[12]. All other agrichemicals from the organochlorine suite were at or close to detection limits across all sampling and of no concern, refer full results *Appendix 3.*

TABLE 8: RESULTS OF ANALYSIS BROAD EXTENT COMPOSITES ORGANOCHLORINES IN COMPARISON WITH SCSs$_{(HEALTH)}$ RURAL RESIDENTIAL 25% PRODUCE

ORGANOCHLORINES mg/kg dry wt	COMPOSITE A1, A4, B1, B4	COMPOSITE G3, G4, H1, H3	SCSs$_{(health)}$ RURAL RESIDENTIAL 25%
DDT$_{(TOTAL)}$	<0.09	<0.09	**45**
Dieldrin	<0.015	<0.014	**1.1**

COMPOSITE SAMPLING – FOCUS AREAS

ALL RESULTS WERE COMPLIANT.

Samples from focus areas of the macadamia blocks, pen and Shed A were allocated to separate composites so not as to dilute these specific influences. Organochlorines were not considered in terms of the macadamia areas, as established outside the era of use. As before, the contribution of these areas to their prior pastoral use character was obtained through inclusion of samples from these blocks in the broad extent organochlorine composites *Table 8* above.

TABLE 9: RESULTS OF ANALYSIS COMPOSITES A; B; O & S SERIES IN COMPARISON WITH $SCSs_{(HEALTH)}$ RURAL RESIDENTIAL 25% PRODUCE

HEAVY METALS mg/kg dry wt	COMPOSITE A1-4 MACADAMIA BLOCK PROPOSED LOT 1	COMPOSITE B1-4 MACADAMIA BLOCK PROPOSED LOT 2	COMPOSITE O PEN	COMPOSITE S SHED A	$SCSs_{(health)}$ RURAL RESIDENTIAL 25%
Arsenic	2	<2	7	3	**20**
Cadmium	0.11	0.15	0.13	0.19	**3**
Chromium	131	83	56	70	**460**
Copper	26	32	17	20	**>10 000**
Lead	7.8	9.2	9.1	17.1	**160**
Nickel	11	13	10	11	**N/A**
Zinc	27	39	50	93	**N/A**
ORGANOCHLORINES mg/kg dry wt					
$DDT_{(TOTAL)}$	-	-	<0.09	<0.09	**45**
Dieldrin	-	-	<0.014	<0.015	**1.1**

The highest arsenic result was obtained from the O Composite pen area. The remainder were aligned with background levels. Although care was taken not to sample adjacent posts in the pen it is likely influenced by arsenic inclusion as a tanalising component, as lead (lead arsenate herbicide or pesticide use) showed no clear associated increase over other composites.

Conversely, lead was slightly elevated at Shed A over other site composites but not associated with elevated arsenic. Common causes are runoff from lead paint on structures previously or even as a result of small machinery use or storage close by during the era of leaded petrol. It is of no concern in regard to residential standards, close to the median background of 15.5 mg/kg^{-1} and potentially microsite variation in natural levels.

Slightly higher copper site results were obtained from the proposed Lot 1 & 2 macadamia blocks - 26 mg/kg^{-1} & 30 mg/kg^{-1} respectively, likely due to its application on trees or as a minor contaminant in fertiliser. The higher Zn results for the O & S composites are likely due to runoff from the galvanized roofing of the sheds. Nickel results were consistent site wide, displaying de minimus anthropognic influence below predicted background median of 13.75 mg/kg^{-1}.

QA/QC & INDIVIDUAL SAMPLES ANALYSIS

Replicate samples were taken from higher risk area individual samples as outlined in *Sampling and Analysis: Design,* results shown below in *Table 11.*

The individual sample results were compliant and showed fidelity with the wider site results.

The replicate samples demonstrated well aligned results to that of the primary samples (RPD relative percent difference <40%), indicating satisfactory field accuracy of sampling technique and reliability of data.[21] Neither the replicate result or implied potential level of variation is of concern in regard to the $SCS_{(health)}$ or broad acreage composite values.

RPD IS CALCULATED AS:

$$\text{Relative Percentage Difference} = \frac{(\text{Result 1} - \text{Result 2}) \times 100}{\text{Mean Result}}$$

TABLE 10: RESULTS OF ANALYSIS INDIVIDUAL HEAVY METALS SAMPLES, REPLICATES & RPD

HEAVY METALS mg/kg dry wt	INDIVIDUAL SAMPLES									$SCS_{(health)}$ RURAL RESIDENTIAL 25%
	Z1	Z2 Replicate Z1	%RPD	Z3	Z4 Replicate Z3	%RPD	Z5	Z6 Replicate Z5	%RPD	
Arsenic	3	4	28	8	7	13	2	<2	0	17
Cadmium	0.19	0.17	12	0.19	0.19	0	<0.10	<0.10	0	0.8
Chromium(total)	73	77	5	50	44	10	68	64	6	260
Copper	21	22	5	18	15	18	17	18	6	>10 000
Lead	11.0	11.8	7	8.5	8.8	3	8.9	9.2	3	180
Nickel	13	14	7	11	9	20	10	11	10	N/A
Zinc	124	120	3	47	42	11	40	39	2	N/A

Zinc is likely amplified due to roof runoff.

A rinsate arsenic screen was taken from sampling equipment during the sampling period, as below:

TABLE 11: RESULTS OF AQUEOUS ARSENIC RINSATE SAMPLE

	SAMPLE W1
AQUEOUS ARSENIC g/m^3	<0.0011

The rinsate result for arsenic, as the contaminant of concern, was at or below detection level of 0.0011g/m^3, indicating effective decontamination procedures and no significant influence on arsenic or other analytical results in terms of total value or cross contamination.

SAMPLING OBSERVATIONS

- No groundwater was encountered in sample holes
- No ACM, staining or odour was noted
- Frequent worms (sensitive to copper)
- No ash or charcoal was encountered
- Visual observation during soil sampling confirmed the documented geology

[21] MfE (2021) Contaminated Land Management Guideline 5. Site Investigation & Analysis of Soil

SITE CHARACTERISATION & DISCUSSION

The subject site, **LOT 2 DP187111 (117B/275)** is comprised of former production land of extended history encompassing the critical period of persistent agrichemical usage in NZ.
A PSI was conducted as the land had *more likely than not* been subject to HAIL activity:

- **A10** Persistent pesticide bulk storage or use (HAIL List 2011)

The initial *qualitative* Conceptual Site Model (CSM) suggested low but sufficient risk to warrant both broad scale and targeted sampling to confirm suitability or infer the need for further investigation.

All analysis results for organochlorines and metals as the potential contaminants of concern were compliant. Upon revision and refinement of the potential contaminant – receptor linkages initially identified in the qualitative CSM, it is highly unlikely there will be a risk to human health if the proposed activity of *subdivision* and subsequent *change of use* on proposed Lot 1 occurs. Due to the lack of gross exceedances; absorptive nature of the soils in respect to the likely original surface application of analytes and their aged nature, it is assumed that levels will not display increase to depth and returned results are taken to be representative of maximum contaminant levels deeper within the soil profile.

The revised *qualitative* Conceptual Site Model is illustrated in below:

FIG 6: REVISED QUANTITATIVE CSM

It should be noted that the future construction may result in elevated soil heavy metals e.g. from the use/ storage of bulk CCA tanalised timber, causing a site that has been screened at a given point later having levels raised in excess of $SCS_{(health)}$. It is recommended that in the event of building or clearance activity that any outside storage of bulk treated timber be covered by tarpaulin and located within an area of existing or intended driveway or parking area during the building phase, so as to avoid potential contamination of lawn and garden areas from leaching. CCA-treated wood must not be burnt, as arsenic is volatised to air and residual in the ash in excess of the $SCS_{(health)}$.

CONCLUSION & RECOMMENDATION

This Preliminary Site Investigation combined qualitative and quantitative information obtained through the scope of reporting to determine the degree of potential and actual soil contaminants in relation to the $SCS_{(health)}$ regarding subdivision and anticipated *change of use* activity of Lot 2 DP 187111.

Due to historic production activity, the primary HAIL activity was considered

- **A10** Persistent pesticide bulk storage or use (HAIL List 2011)

Potential contaminants in site soils were found to be at levels that, even allowing for complete *contaminant – exposure- receptor* pathways, pose no risk to human health in comparison to the generic $SCS_{(health)}$Residential 25% Produce.

It is highly unlikely that there is any risk to human health from the proposed activities of *subdivision* or *change of use*, which may proceed as permitted activity in this regard.

Rebecca Lodge SQEP
BScEcology **PGDipSci** (Distinction) Botany

PSI CERTIFYING STATEMENT

I, Rebecca Lodge of BAY ECOLOGICAL CONSULTANCY LTD, certify that:

This Preliminary Site Investigation meets the requirements of the Resource Management (National Environmental Standard for assessing and managing contaminants in soil to protect human health) Regulations 2011 because it has been:

a. done by a suitably qualified and experienced practitioner, and

b. reported on in accordance with the current edition of Contaminated land management guidelines No 1 – Reporting on contaminated sites in New Zealand, and

c. the report is certified by a suitably qualified and experienced practitioner.

Evidence of the qualifications and experience of the suitably qualified and experienced practitioner(s) who have done this investigation and have certified this report is appended below:

PROFESSIONAL PROFILE

Rebecca Lodge:

Since its implementation I have been reporting within the current Resource Management Regulations 2011 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health to DSI and Remediation/Validation level in the Far North & Kaipara District, building extensive professional and local knowledge.

University studies to a post graduate level at Otago provided me with a solid background in laboratory and field based botanical and ecological research. Key components included practical and project work in ecophysiology, conservation biology and ecosystem function, plant ecology, taxonomy and identification. I have been working fulltime as an Environmental Practitioner for the last 10 years, using my research, analysis and writing capabilities professionally.

Core practical abilities developed within a laboratory environment were the knowledge of and adherence to best practice laboratory standards (to PC2 level) hazardous waste and biosecurity training, as well as use of microscopy, field equipment, and software. I have completed professional training in asbestos in soils awareness and management.

I am able to design experiments and sampling programmes to provide robust data for analysis and subsequently delivery of relevant results. My knowledge of field procedures and techniques is complimented by observation and qualitative interpretation skills.

In 2008, based on my academic results, independent research abilities and PhD proposal I was awarded a prestigious Te Tipu Putaiao Fellowship through the governmental Foundation for Science Research and Technology. The proposed research focused on the ecotypic variation across NZ of Cordyline australis and C. indivisa in terms of leaf and fibre properties, related in turn to insect vulnerability and as a traditional fibre resource for weaving and cordage. It was a multidisciplinary and complex study integrating elements of historical and scientific literature review; ecology, botany and textile science as well as guidance from local kaumātua in mātauranga Māori related to these taonga species.

Access to resources and material for the study also required liaison with other stakeholders, including Manaaki Whenua, Crop and Food Research NZ and DoC.

The research component of my PGDipSci revealed the previously un-described diet of the alpine weta, Hemideina maorii, based on field studies and extensive laboratory analysis of remnant plant and insect matter. This was compared to a digital cuticle library I developed. This work has since been expanded on by others and referenced in further studies on this species.

I have been employed as a laboratory and field demonstrator both within the Otago University Botany and Ecology departments, organising and assisting in the labs and on field excursions. More recently I have lectured at Northtec on the identification and description of wetlands and the relevant application of the NPS- FM & NES-F (2020). I have also used my skills professionally as a research assistant.

I am a member of several industry bodies and research focused sector communities including ALGA, NZ Ecological Society and the NZ Freshwater Science Society.

APPENDIX 1: HISTORICAL AERIAL IMAGERY

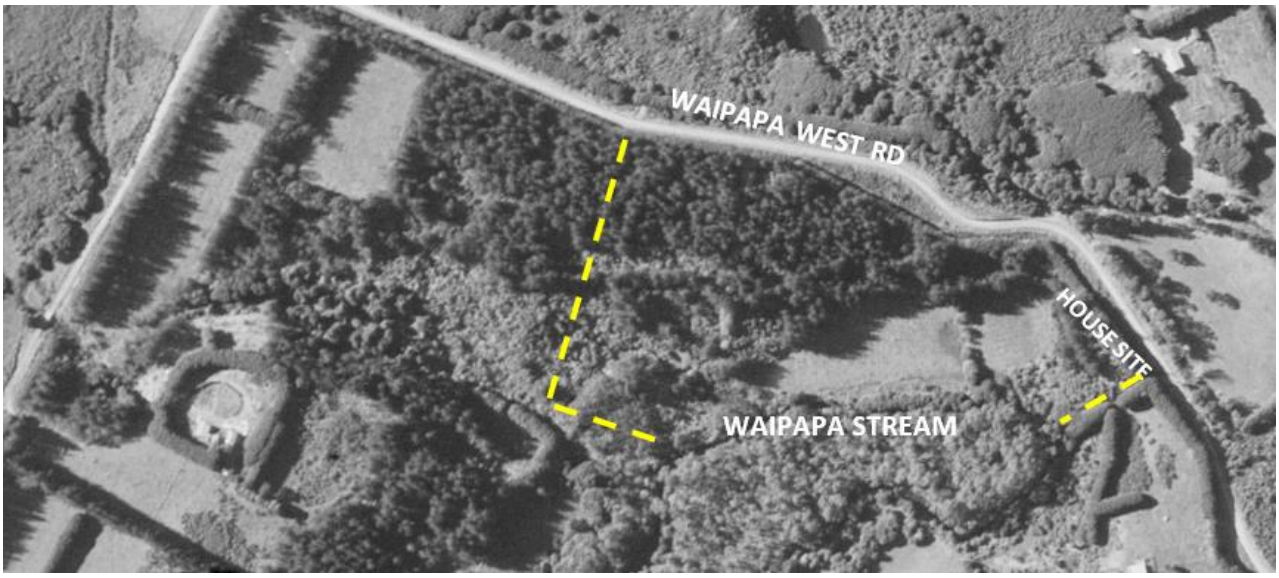
Photography provided by

- Retrolens (Sourced from http://retrolens.nz and licensed by LINZ CC-By 3.0)
- Maps Past- http://www.mapspast.org.nz/
- Google Earth
- FNDC/ LINZ Mapping
  https://fndc.maps.arcgis.com/apps/webappviewer/index.html?id=06922e6ff50e45bc98aef82dc539fc53

1950 RETROLENS

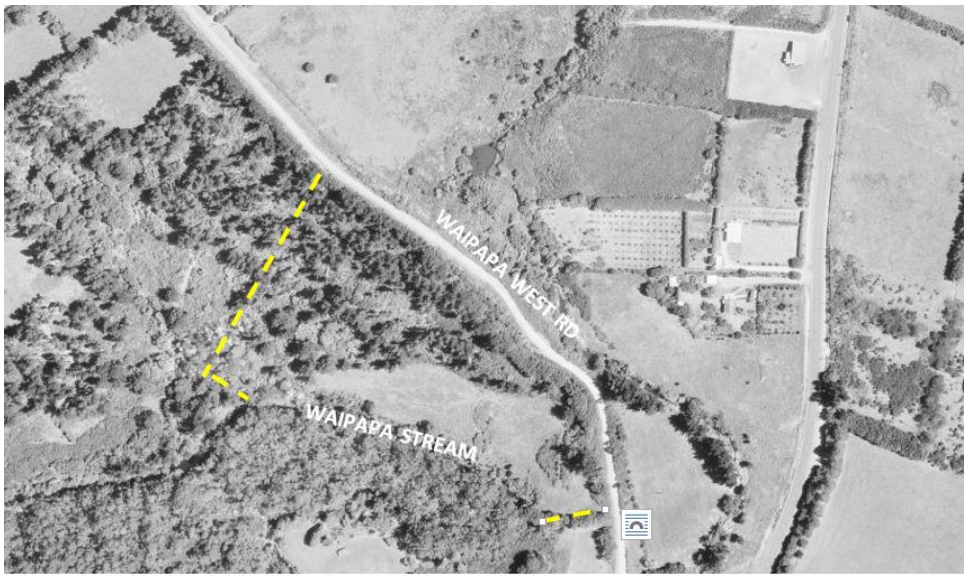
Sourced from http://retrolens.nz and licensed by LINZ CC-BY 3.0

Grazing



1961 RETROLENS

Sourced from http://retrolens.nz and licensed by LINZ CC-BY 3.0
Grazing expanded



1979 RETROLENS

Sourced from http://retrolens.nz and licensed by LINZ CC-BY 3.0
House on LOT 1 DP 187111 established and macadamias in (proposed Lot 1 area)
SHEDS VISIBLE Grazing expanded

1981 RETROLENS

As before, macadamias more established. Large shed to the east is offsite

GOOGLE EARTH 2003

Macadamia trees more established on proposed Lot 2. Current residence visible to the east by Waipapa West Rd

GOOGLE EARTH 2007

Macadamias thinned on proposed Lot 2

2012 GOOGLE EARTH

2018 GOOGLE EARTH

APPENDIX 2: SAMPLE PLAN

KEY:

A SERIES- METALS MACADAMIA CURRENT & FORMER PROPOSED LOT 1
B SERIES- METALS MACADAMIA CURRENT & FORMER PROPOSED LOT 2
G SERIES- METALS BROAD PASTURE PROPOSED LOT 2
H SERIES- METALS BROAD PASTURE/ HOUSE HIGH USE PROPOSED LOT 2
O SERIES- ORGANOCHLORINES & METALS PEN
Z INDIVIDUALS- ORGANOCHLORINES & METALS PUMP SHED
S SERIES- SHED A ORGANOCHLORINES & METALS
A1; A4; B1 & B4- ORGANOCHLORINES HISTORIC BROAD PASTURE
G3; G4; H1 & H4 – ORGANOCHLORINES HISTORIC BROAD PASTURE

APPENDIX 3: HILLS LABORATORIES RESULTS & ANALYSIS METHODS

Hill Laboratories
TRIED, TESTED AND TRUSTED

R J Hill Laboratories Limited
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Private Bag 3205
Hamilton 3240 New Zealand

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E mail@hill-labs.co.nz
W www.hill-laboratories.com

Certificate of Analysis

Client:	Bay Ecological Consultancy Limited	**Lab No:**	3168126	SPv1
Contact:	Rebecca Lodge	**Date Received:**	08-Feb-2023	
	C/- Bay Ecological Consultancy Limited	**Date Reported:**	15-Feb-2023	
	PO Box 229	**Quote No:**	121795	
	Kerikeri 0245	**Order No:**		
		Client Reference:	WAIPAPA WEST	
		Submitted By:	Rebecca Lodge	

Sample Type: Soil

Sample Name:		Z1 07-Feb-2023 10:30 am	Z2 07-Feb-2023 10:35 am	Z3 07-Feb-2023 11:05 am	Z4 07-Feb-2023 11:00 am	Z5 07-Feb-2023 11:50 am
Lab Number:		3168126.23	3168126.24	3168126.25	3168126.26	3168126.27
Heavy Metals, Screen Level						
Total Recoverable Arsenic	mg/kg dry wt	3	4	8	7	< 2
Total Recoverable Cadmium	mg/kg dry wt	0.19	0.17	0.19	0.19	< 0.10
Total Recoverable Chromium	mg/kg dry wt	73	77	50	44	68
Total Recoverable Copper	mg/kg dry wt	21	22	18	15	17
Total Recoverable Lead	mg/kg dry wt	11.0	11.8	8.5	8.8	8.9
Total Recoverable Nickel	mg/kg dry wt	13	14	11	9	10
Total Recoverable Zinc	mg/kg dry wt	124	120	47	42	40

Sample Name:		Z6 07-Feb-2023 11:55 am	Composite of A1, A4, B1 & B4	Composite of G3, G4, H1 & H3	Composite of A1, A2, A3 & A4	Composite of B1, B2, B3 & B4
Lab Number:		3168126.28	3168126.31	3168126.32	3168126.33	3168126.34
Individual Tests						
Dry Matter	g/100g as rcvd	-	71	69	-	-
Heavy Metals, Screen Level						
Total Recoverable Arsenic	mg/kg dry wt	2	-	-	2	< 2
Total Recoverable Cadmium	mg/kg dry wt	< 0.10	-	-	0.11	0.15
Total Recoverable Chromium	mg/kg dry wt	64	-	-	131	83
Total Recoverable Copper	mg/kg dry wt	16	-	-	26	32
Total Recoverable Lead	mg/kg dry wt	9.2	-	-	7.8	9.2
Total Recoverable Nickel	mg/kg dry wt	11	-	-	11	13
Total Recoverable Zinc	mg/kg dry wt	39	-	-	27	39
Organochlorine Pesticides Screening in Soil						
Aldrin	mg/kg dry wt	-	< 0.014	< 0.015	-	-
alpha-BHC	mg/kg dry wt	-	< 0.014	< 0.015	-	-
beta-BHC	mg/kg dry wt	-	< 0.014	< 0.015	-	-
delta-BHC	mg/kg dry wt	-	< 0.014	< 0.015	-	-
gamma-BHC (Lindane)	mg/kg dry wt	-	< 0.014	< 0.015	-	-
cis-Chlordane	mg/kg dry wt	-	< 0.014	< 0.015	-	-
trans-Chlordane	mg/kg dry wt	-	< 0.014	< 0.015	-	-
2,4'-DDD	mg/kg dry wt	-	< 0.014	< 0.015	-	-
4,4'-DDD	mg/kg dry wt	-	< 0.014	< 0.015	-	-
2,4'-DDE	mg/kg dry wt	-	< 0.014	< 0.015	-	-
4,4'-DDE	mg/kg dry wt	-	< 0.014	< 0.015	-	-
2,4'-DDT	mg/kg dry wt	-	< 0.014	< 0.015	-	-
4,4'-DDT	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Total DDT Isomers	mg/kg dry wt	-	< 0.09	< 0.09	-	-
Dieldrin	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Endosulfan I	mg/kg dry wt	-	< 0.014	< 0.015	-	-

Sample Type: Soil						
Sample Name:		Z6 07-Feb-2023 11:55 am	Composite of A1, A4, B1 & B4	Composite of G3, G4, H1 & H3	Composite of A1, A2, A3 & A4	Composite of B1, B2, B3 & B4
Lab Number:		3168126.28	3168126.31	3168126.32	3168126.33	3168126.34
Organochlorine Pesticides Screening in Soil						
Endosulfan II	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Endosulfan sulphate	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Endrin	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Endrin aldehyde	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Endrin ketone	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Heptachlor	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Heptachlor epoxide	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Hexachlorobenzene	mg/kg dry wt	-	< 0.014	< 0.015	-	-
Methoxychlor	mg/kg dry wt	-	< 0.014	< 0.015	-	-

Sample Name:		Composite of G1, G2, G3, & G4	Composite of S1, S2, & S3	Composite of O1, O2, O3 & O4	Composite of H1, H2, H3 & H4
Lab Number:		3168126.35	3168126.36	3168126.37	3168126.38
Individual Tests					
Dry Matter	g/100g as rcvd	-	67	71	-
Heavy Metals, Screen Level					
Total Recoverable Arsenic	mg/kg dry wt	< 2	3	7	< 4
Total Recoverable Cadmium	mg/kg dry wt	0.15	0.13	0.13	< 0.2
Total Recoverable Chromium	mg/kg dry wt	68	70	56	41
Total Recoverable Copper	mg/kg dry wt	20	20	17	14
Total Recoverable Lead	mg/kg dry wt	8.7	17.1	9.1	8.7
Total Recoverable Nickel	mg/kg dry wt	13	11	10	9
Total Recoverable Zinc	mg/kg dry wt	33	93	50	35
Organochlorine Pesticides Screening in Soil					
Aldrin	mg/kg dry wt	-	< 0.015	< 0.014	-
alpha-BHC	mg/kg dry wt	-	< 0.015	< 0.014	-
beta-BHC	mg/kg dry wt	-	< 0.015	< 0.014	-
delta-BHC	mg/kg dry wt	-	< 0.015	< 0.014	-
gamma-BHC (Lindane)	mg/kg dry wt	-	< 0.015	< 0.014	-
cis-Chlordane	mg/kg dry wt	-	< 0.015	< 0.014	-
trans-Chlordane	mg/kg dry wt	-	< 0.015	< 0.014	-
2,4'-DDD	mg/kg dry wt	-	< 0.015	< 0.014	-
4,4'-DDD	mg/kg dry wt	-	< 0.015	< 0.014	-
2,4'-DDE	mg/kg dry wt	-	< 0.015	< 0.014	-
4,4'-DDE	mg/kg dry wt	-	< 0.015	< 0.014	-
2,4'-DDT	mg/kg dry wt	-	< 0.015	< 0.014	-
4,4'-DDT	mg/kg dry wt	-	< 0.015	< 0.014	-
Total DDT Isomers	mg/kg dry wt	-	< 0.09	< 0.09	-
Dieldrin	mg/kg dry wt	-	< 0.015	< 0.014	-
Endosulfan I	mg/kg dry wt	-	< 0.015	< 0.014	-
Endosulfan II	mg/kg dry wt	-	< 0.015	< 0.014	-
Endosulfan sulphate	mg/kg dry wt	-	< 0.015	< 0.014	-
Endrin	mg/kg dry wt	-	< 0.015	< 0.014	-
Endrin aldehyde	mg/kg dry wt	-	< 0.015	< 0.014	-
Endrin ketone	mg/kg dry wt	-	< 0.015	< 0.014	-
Heptachlor	mg/kg dry wt	-	< 0.015	< 0.014	-
Heptachlor epoxide	mg/kg dry wt	-	< 0.015	< 0.014	-
Hexachlorobenzene	mg/kg dry wt	-	< 0.015	< 0.014	-
Methoxychlor	mg/kg dry wt	-	< 0.015	< 0.014	-

Sample Type: Aqueous		
Sample Name:		W1 07-Feb-2023 11:40 am
Lab Number:		3168126.18
Individual Tests		
Total Arsenic	g/m³	< 0.0011

Summary of Methods

The following table(s) gives a brief description of the methods used to conduct the analyses for this job. The detection limits given below are those attainable in a relatively simple matrix. Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis. A detection limit range indicates the lowest and highest detection limits in the associated suite of analytes. A full listing of compounds and detection limits are available from the laboratory upon request. Unless otherwise indicated, analyses were performed at Hill Laboratories, 28 Duke Street, Frankton, Hamilton 3204.

Sample Type: Soil			
Test	**Method Description**	**Default Detection Limit**	**Sample No**
Environmental Solids Sample Drying*	Air dried at 35°C Used for sample preparation. May contain a residual moisture content of 2-5%.	-	23-28, 33-38
Heavy Metals, Screen Level	Dried sample, < 2mm fraction. Nitric/Hydrochloric acid digestion US EPA 200.2. Complies with NES Regulations. ICP-MS screen level, interference removal by Kinetic Energy Discrimination if required.	0.10 - 4 mg/kg dry wt	23-28, 33-38
Organochlorine Pesticides Screening in Soil	Sonication extraction, GC-ECD analysis. Tested on as received sample. In-house based on US EPA 8081.	0.010 - 0.06 mg/kg dry wt	31-32, 36-37
Dry Matter (Env)	Dried at 103°C for 4-22hr (removes 3-5% more water than air dry) , gravimetry. (Free water removed before analysis, non-soil objects such as sticks, leaves, grass and stones also removed). US EPA 3550.	0.10 g/100g as rcvd	31-32, 36-37
Composite Environmental Solid Samples*	Individual sample fractions mixed together to form a composite fraction.	-	1-17, 19-22, 29-30

Sample Type: Aqueous			
Test	**Method Description**	**Default Detection Limit**	**Sample No**
Total Digestion	Nitric acid digestion. APHA 3030 E (modified) 23rd ed. 2017.	-	18
Total Arsenic	Nitric acid digestion, ICP-MS, trace level. APHA 3125 B 23rd ed. 2017 / US EPA 200.8.	0.0011 g/m^3	18

These samples were collected by yourselves (or your agent) and analysed as received at the laboratory.

Testing was completed between 08-Feb-2023 and 15-Feb-2023. For completion dates of individual analyses please contact the laboratory.

Samples are held at the laboratory after reporting for a length of time based on the stability of the samples and analytes being tested (considering any preservation used), and the storage space available. Once the storage period is completed, the samples are discarded unless otherwise agreed with the customer. Extended storage times may incur additional charges.

Ara Heron BSc (Tech)
Client Services Manager - Environmental

APPENDIX 4: TITLES & PLANS

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy

R.W. Muir
Registrar-General
of Land

Identifier	**NA117B/375**
Land Registration District	**North Auckland**
Date Issued	16 October 1998

Prior References
NA47B/482

Estate	Fee Simple
Area	3.2625 hectares more or less
Legal Description	Lot 2 Deposited Plan 187111
Registered Owners	

Lindsay Caroline Hart-MacDiarmid and Robin Marion MacDiarmid

Interests

D321395.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 16.10.1998 at 1.40 pm

Subject to a right to drain water over part marked B on DP 187111 specified in Easement Certificate D321395.4 - 16.10.1998 at 1.40 pm

9918232.2 Mortgage to Mortgage Holding Trust Company Limited - 11.12.2014 at 1:57 pm

Identifier **NA117B/375**

LT69

Reference:
Prior CT: 47B/482
Document No.: D321395.3

REGISTER

117B/375

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT 1952

This Certificate dated the 16th day of October One Thousand Nine Hundred and Ninety Eight under the seal of the District Land Registrar of the Land Registration District of NORTH AUCKLAND

WITNESSETH that **HUGH DESMOND CANNING AND ELIZABETH ANNE CANNING**

are seised of an estate in **fee simple** (subject to such reservations, restrictions, encumbrances and interests as are notified by memorial endorsed hereon) in the land hereinafter described, delineated on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 3.2625 hectares, more or less being **LOT 2 DEPOSITED PLAN 187111**

DISTRICT LAND REGISTRAR
for District Land Registrar
NORTH AUCKLAND NEW ZEALAND

D321395.2 Consent Notice under Section 221(1) Resource Management Act 1991 by Far North District Council

D321395.4 Easement certificate affecting Lots on DP 187111

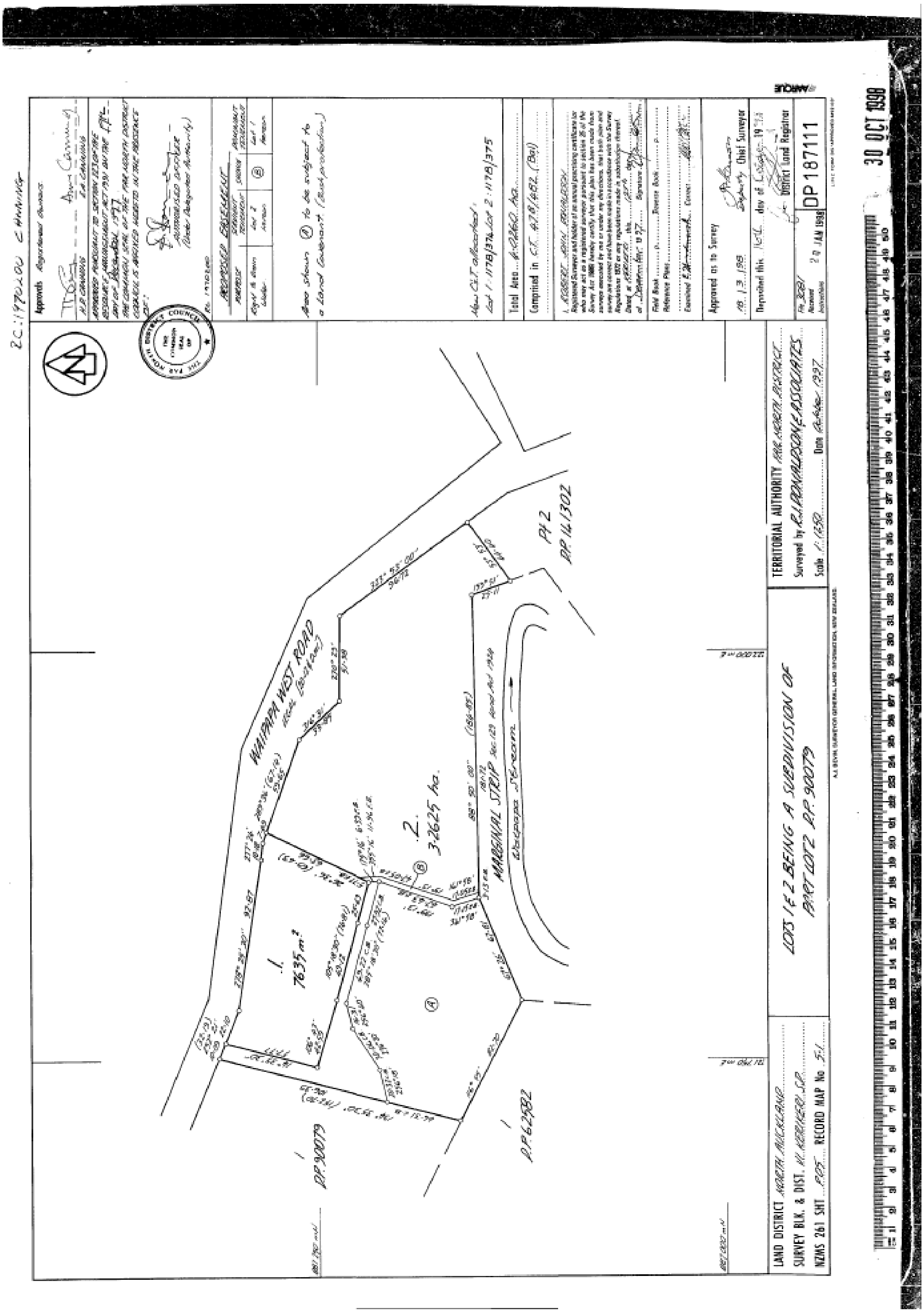
NATURE	SERVIENT LAND	DOMINANT LAND
Right to drain water	2-B	1 CT 117B/374

D321395.5 Transmission to Elizabeth Anne Canning as survivor

- all 16.10.1998 at 1.40

For DLR

117B/375


WAIPAPA WEST ROAD
MARGINAL STRIP
3.2625 ha.
7635 m²
DP 90079
DP 62592
Pt 2 DP 141302
LOTS 1 & 2 BEING A SUBDIVISION OF PART LOT 2 DP 90079
DP 187111
30 OCT 1998

Bic 1135.

[L.&D.—52

P.O. Box:— Private Bag,

Telephone No:—771-499

FILE No.
CIRCULATION
DATE 20 FEB 1980 REC.
ACTION CE | Rale

DEPARTMENT OF JUSTICE

LAND REGISTRY OFFICE,

AUCKLAND,

19 February 19 80

DEAR SIR,—

PLAN No. 90079 *being a subdivision of* Lot 2 D.P. 62582

File Reference: 497

C.T. 45A/293 (All) C.T. 45A/294 (All)

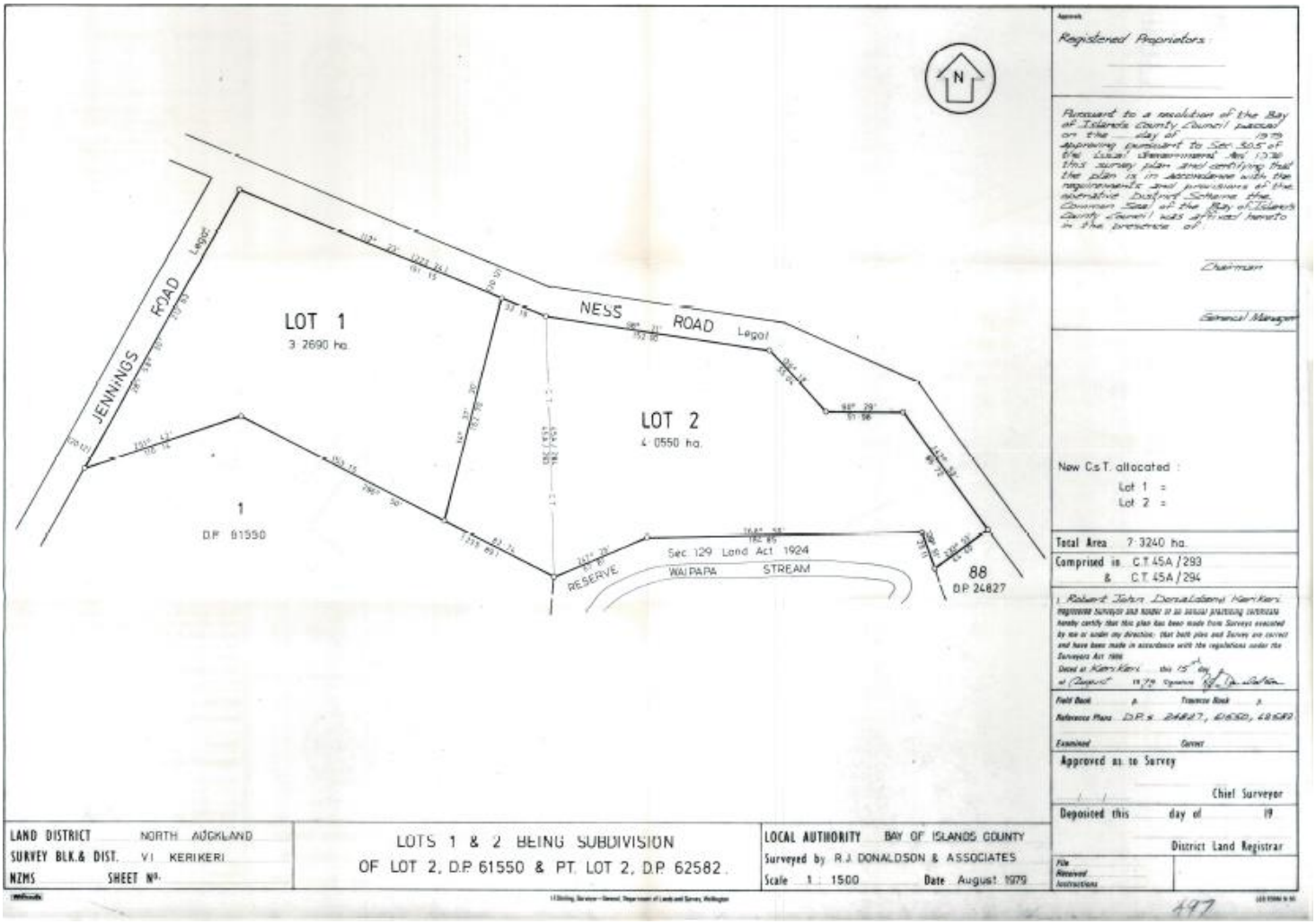
signed by H.A. & E.A. Canning *as the owner*

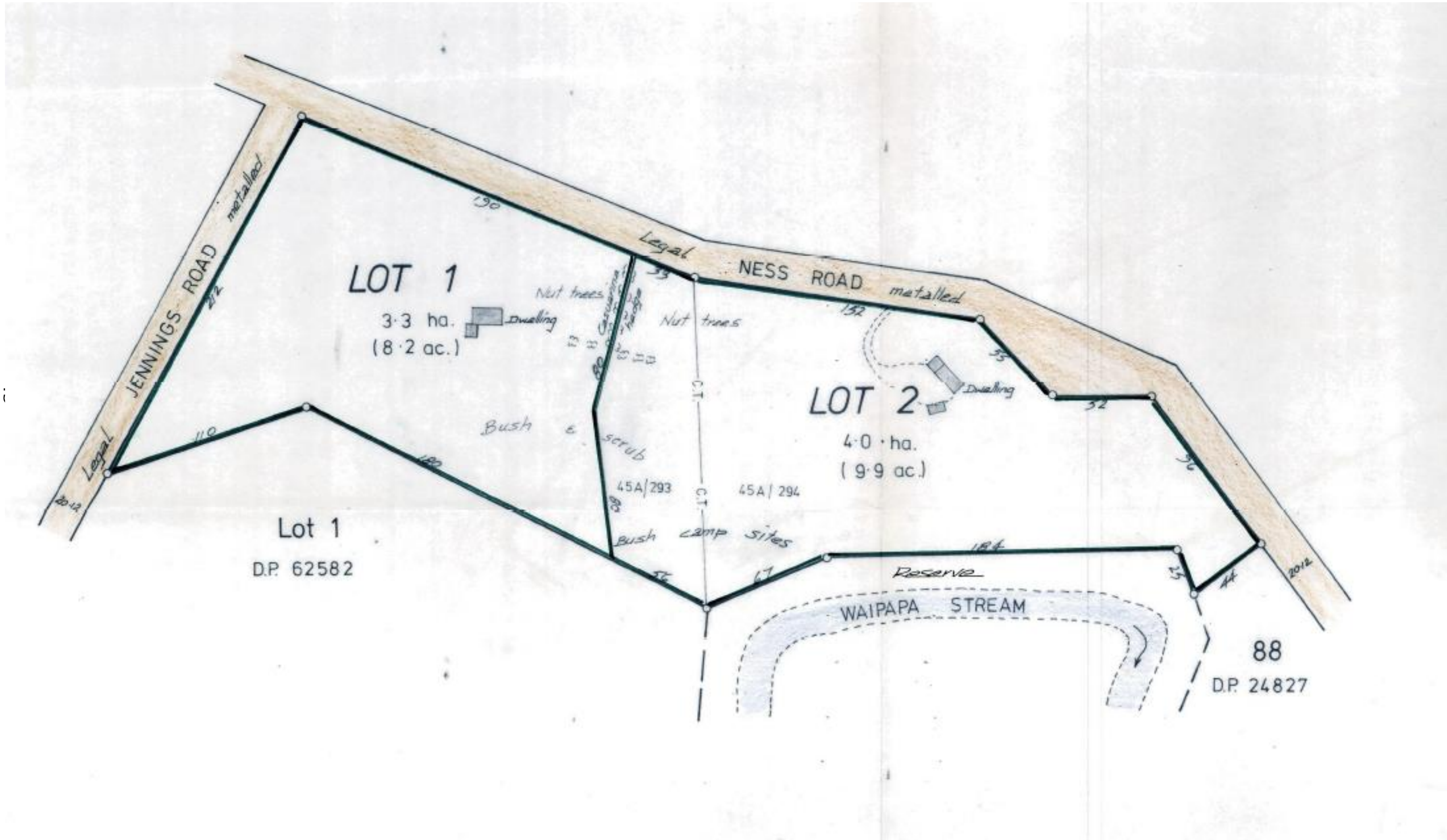
was deposited on 31st January 1980

The County Clerk,
Bay of Islands County Council,
P.O. Box 11,
KAWAKAWA.

Yours faithfully,

J R Griffin
District Land Registrar


N
JENNINGS ROAD Legal
NESS ROAD Legal
LOT 1
3·2690 ha.
LOT 2
4·0550 ha.
1
D.P. 61550
RESERVE
Sec. 129 Land Act 1924
WAIPAPA STREAM
88
D.P. 24827
Registered Proprietors:
Pursuant to a resolution of the Bay of Islands County Council passed on the day of 19 approving pursuant to Sec 305 of the Local Government Act 1974 this survey plan and certifying that the plan is in accordance with the requirements and provisions of the operative District Scheme the Common Seal of the Bay of Islands County Council was affixed hereto in the presence of:
Chairman
General Manager
New C.s.T. allocated :
Lot 1 =
Lot 2 =
Total Area 7·3240 ha.
Comprised in C.T. 45A/293
& C.T. 45A/294
I, Robert John Donaldson of Kerikeri registered surveyor and holder of an actual practising certificate hereby certify that this plan has been made from Surveys executed by me or under my direction; that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966
Dated at Kerikeri this 15th day of August 1979
Field Book p. Traverse Book p.
Reference Plans D.P.s 24827, 61550, 62582
Examined Correct
Approved as to Survey
Chief Surveyor
Deposited this day of 19
District Land Registrar
File
Received
Instructions
LAND DISTRICT NORTH AUCKLAND
SURVEY BLK.& DIST. VI KERIKERI
NZMS SHEET No.
LOTS 1 & 2 BEING SUBDIVISION
OF LOT 2, D.P. 61550 & PT. LOT 2, D.P. 62582.
LOCAL AUTHORITY BAY OF ISLANDS COUNTY
Surveyed by R.J. DONALDSON & ASSOCIATES
Scale 1 : 1500 Date August 1979
497


LOT 1
3·3 ha.
(8·2 ac.)
LOT 2
4·0 · ha.
(9·9 ac.)
JENNINGS ROAD
metalled
Legal
NESS ROAD
metalled
Legal
Dwelling
Dwelling
Nut trees
Nut trees
Bush & scrub
Bush camp sites
45A/293
45A/294
C.T.
C.T.
Reserve
WAIPAPA STREAM
Lot 1
D.P. 62582
88
D.P. 24827
190
33
132
35
32
36
44
23
184
67
56
180
110
212
20.12
20.12

References
Prior C/T 180/77
Transfer No.
N/C. Order No. 391428.1

REGISTER ... and Deeds 69

COPY

No. 45/294

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 25th day of October one thousand nine hundred and Seventy-eight under the seal of the District Land Registrar of the Land Registration District of NORTH AUCKLAND

WITNESSETH that HUGH DESMOND CANNING of Cambridge schoolteacher and ELIZABETH ANNE CANNING his wife are

is seised of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 7 acres 3 roods 18.00 perches more or less being part Lot 2 Deposited Plan 61550 and being part Section 1 block V1 Kerikeri Survey District.

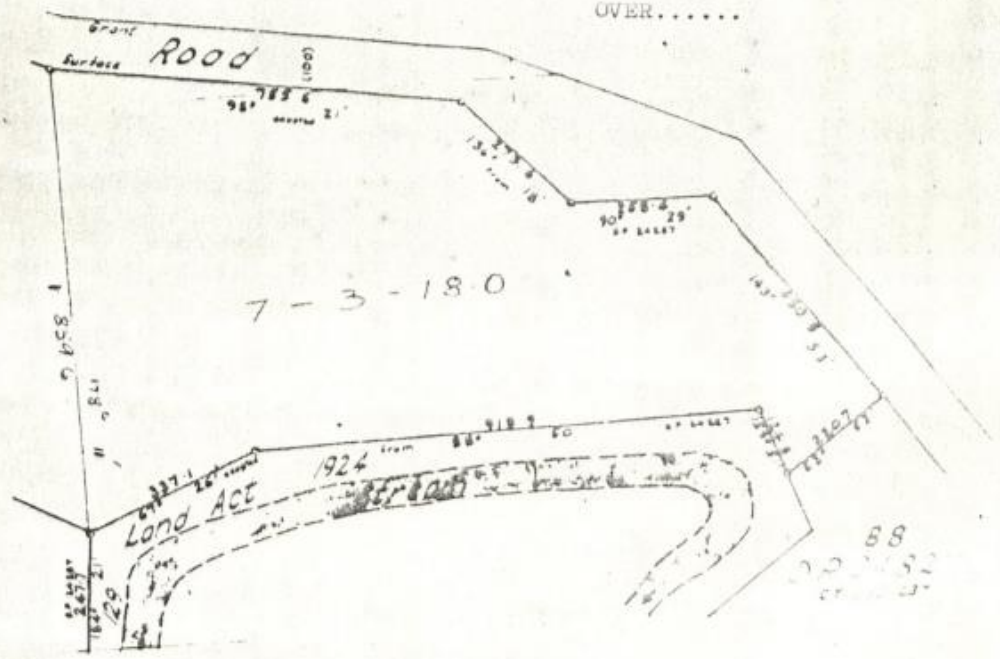
DISTRICT LAND REGISTRAR AUCKLAND

DCWragge
Assistant Land Registrar

314760.1 CAVEAT BY FRANK DERRINGTON GODBERT AND ISABELLA PHOEBE CATRIONA GODBERT - 20.1.1975 at 9.42 o'c

DCWragge.
A.L.R.

OVER.....



Measurements are Metric

No. 45/294

References
Prior C/T 180/77

Transfer No.
N/C. Order No. 391428.1

REGISTER and Deeds 69

COPY

No. 45/293

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 25th day of October one thousand nine hundred and Seventy-eight under the seal of the District Land Registrar of the Land Registration District of NORTH AUCKLAND

WITNESSETH that HUGH DESMOND CANNING of Cambridge schoolteacher and ELIZABETH ANNE CANNING his wife are

~~is~~seised of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 10 acres 0 roods 37.2perches more or less being Lot 2 Deposited Plan 61550 and being part Section 1 Block VI Kerikeri Survey District.

DISTRICT LAND REGISTRAR AUCKLAND, N.Z.

Assistant Land Registrar

314760.1 CAVEAT BY FRANK DERRINGTON GODBERT AND ISABELLA PHOEBE CATRIONA GODBERT - 20.1.1975 at 9.42 o'c

A.L.R.

317729.1 CAVEAT BY THE CHAIRMAN COUNCILLORS AND INHABITANTS OF THE COUNTY OF THE BAY OF ISLANDS - 7.3.1975 at 9.02 o'c

A.L.R.

437154.1 Mortgage to The Public Service Investment Society Limited - 23.9.1976 at 9.00 o'c

A.L.R.

362436.1 Mortgage to Bank of New Zealand - 27.5.1977 at 9.02 o'c

A.L.R.

No. 45-A/293

Measurements are Metric

P.O. Box:— Private Bag [L.&D.—52

Telephone No:— 78-830

DEPARTMENT OF JUSTICE

LAND REGISTRY OFFICE,
AUCKLAND 1.

21 July 19 69

DEAR SIR,— PLAN No. 61550 being a subdivision of Lots 85 and 86 D.P. 24827 being Part Section 1 Block VI Kerikeri Survey District (Ness Road)

signed by A.M. VENABLES, as the owner

was deposited on 7.7.1969

Yours faithfully,

The County Clerk,
Bay of Islands County Council,
P.O. Box 11,
KAWAKAWA.

for S.A. Vail
Deputy District Land Registrar.

W.P. OFFSET

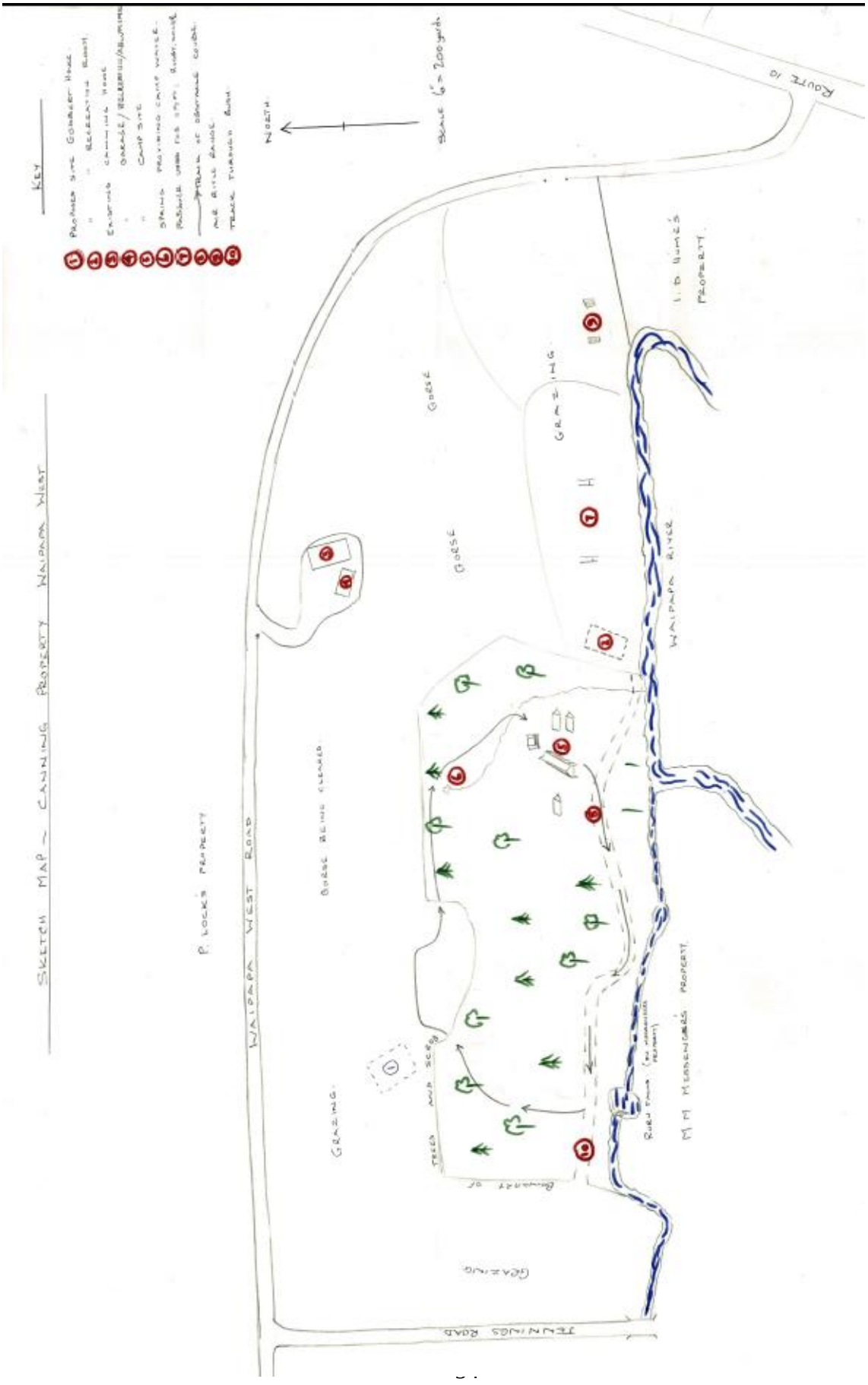
T.C.P. 1

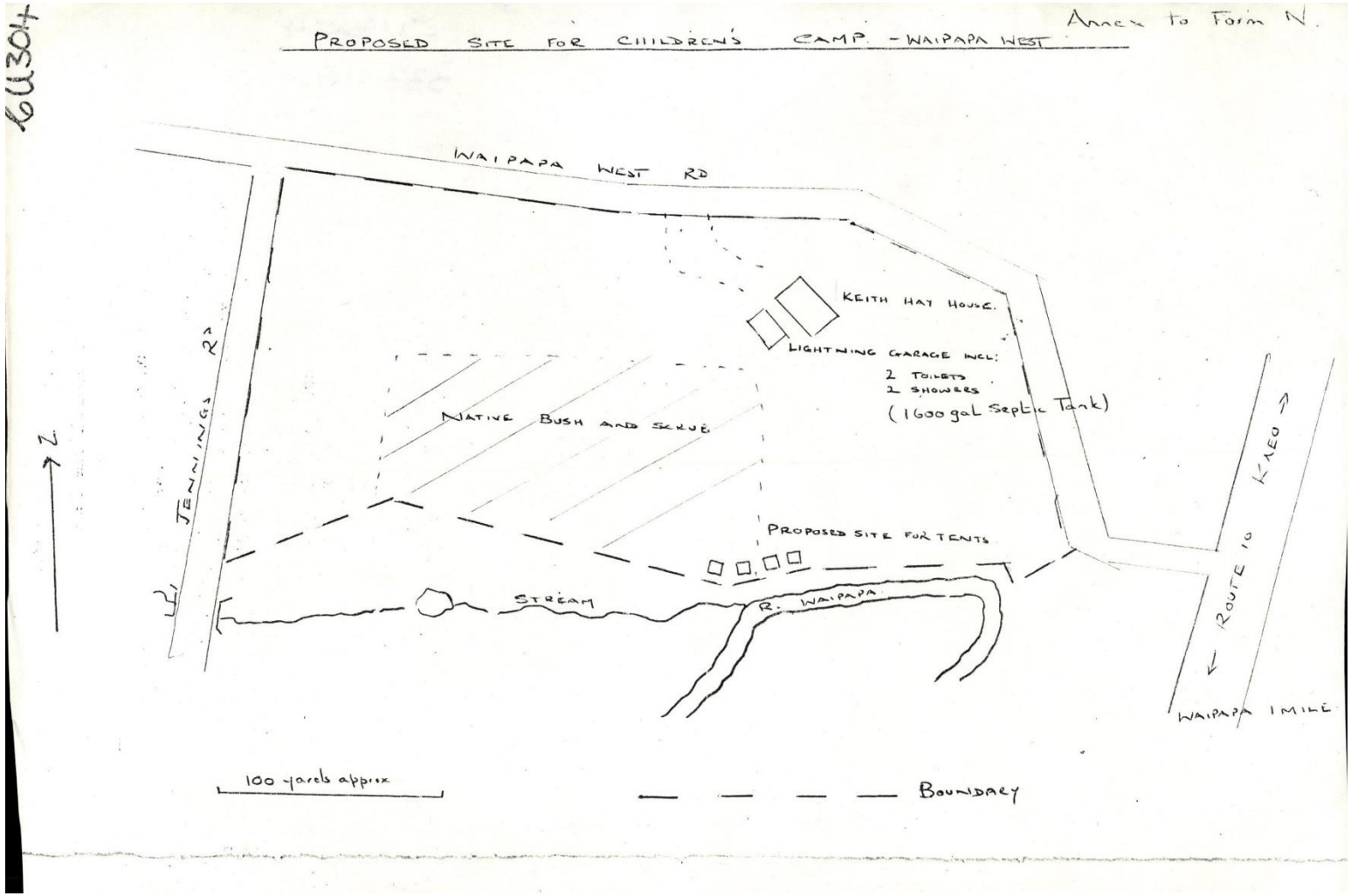
Lots 1 & 2
Total Area: 22-2-36.2.

Subn of Lots 85 & 86 D.P. 24827 being Pt Sec. 1
Block VI Kerikeri S.D.

C.T.'s. 672/180 & 655/236 - A.M. Venables.
Scale: 2 chains to an inch.
Surveyed by Reyburn & Bryant - March 1969.

78304 TCPCU 7/1973 APPROVED KIDS CAMP PLAN




Annex to Form N.
PROPOSED SITE FOR CHILDREN'S CAMP - WAIPAPA WEST
WAIPAPA WEST RD
KEITH HAY HOUSE.
LIGHTNING GARAGE INCL:
2 TOILETS
2 SHOWERS
(1600 gal Septic Tank)
NATIVE BUSH AND SCRUB
JENNINGS RD
N.
PROPOSED SITE FOR TENTS
STREAM
R. WAIPAPA
ROUTE 10 KAEO →
← WAIPAPA 1 MILE
100 yards approx
BOUNDARY

Far North District Council

Private Bag 752, Memorial Ave
Kaikohe 0440, New Zealand
Freephone: 0800 920 029
Phone: (09) 401 5200
Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

Office Use Only

Application Number:

Earthworks Permit Application Form

For Control of Earthworks
Pursuant to Clause 2203.2 of Chapter 2
Control of Earthworks Bylaw 2009
Schedule A

1. Applicant Details

Name/s: *(please write all names in full)* Rosina Tomes

Note: Applicant must be a person or legal entity. Full name of Individual, Limited Liability Company or Trust is required.

Postal Address: 23 Waipapa West Road
Kerikeri

Postcode

Phone Numbers: Work: 021 2134033 Home:

Fax: Email: rosina@ragtrade.co.nz

2. Address for Correspondence

Name and address for service and correspondence (if you are using an Agent write their details here)

Name: Northland Planning and Development 2020 Ltd c/o Rochelle Jacobs

Postal Address: 112 Commerce Street, Kaitaia

Postcode

Phone Numbers: Work: 027 449 8813 Home:

Fax: Email: info@northplanner.co.nz

3. Billing Details

A fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. Refer to Council's Fees and Charges Schedule.

Name *(please write name or entity in full)* Rosina Tomes

Postal Address: 23 Waipapa West Rd

Waipapa postcode

Phone Numbers: Work: 0212134033 Home:

Fax: Email: rosina@ragtrade.co.nz

Declaration Concerning Payment of Fees I/we understand that the council may charge me/us for all costs actually and reasonably incurred in processing this application. I/we undertake to pay all and future processing costs incurred by the council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: Rosina Tomes (Please Print)

Signature: R Tomes Signature of Bill Payer/s (mandatory) Date: 28/4/25

4. Application Site Details

Location and/or Property Street Address of the proposed activity

Site Address/Location: 23 Waipapa West Road, Kerikeri

Valuation Number: (from rates notice)

Legal Description: Lot 2 DP 187111 (from Certificate of Title)

Certificate of Title Identifier: NA 117B / 375 (Please attach a Certificate of Title - Search Copy should be no more than 6 months old)

Are there any sites of significance to Maori on the property ☐ Yes ☑ No

If you answered yes to the above question have you consulted with the local Iwi authority ☐ Yes ☑ No

Site Visit Requirements:

Is there a locked gate or security system restricting access by council staff? ☐ Yes ☑ No

Is there a dog on the property? ☑ Yes ☐ No

Please provide details of any other entry restrictions that council staff should be aware off e.g. health and safety, caretaker's details.

Please ensure a prior appointment is organised - Phone Rosina on 021 213 4033

5. Description of the Proposed Earthworks

Enter the volume of excavation and the depth of cut and a description of the proposed earthworks (continue on a separate sheet if necessary). Attach a detailed site plan drawn to a recognised scale e.g. 1:100, 1:200 to illustrate your proposal. Please note that the plan detail must be such that the plan can be stamped as approved for construction (refer to the checklist below for detail required).

Volume of Excavation/Fill: <50m3

Depth of Cut or Fill Size: 800mm max supported by retianing walls

Description of Proposed Earthworks:

Retrospective Earthworks within 3m of a boundary to accommodate minor residential unit.

Please Note: Earthworks that breach District Plan zone thresholds will be subject to a landuse consent application

6. Erosion & Soil Sediment Control Measures

Please specify what erosion and soil control measures you propose to undertake. Please note that these must be constructed in accordance with ARC Publication TP90 and shown on your site plan.

Earthworks are retrospective. Given the time that has passed no new erosion and sediment control measures are necessary.

7. National Environmental Standard (NES) Consents

Your site may be subject to or covered by the NES for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. This is determined by reference to the Hazardous Activities and Industries List (HAIL) which is a list of categories of activity that involve the use, storage and disposal of significant quantities of hazardous substances such as pesticides and heavy metals.

Is this site on Council's HAIL Database? ☑ Yes ☐ No

Is the site currently or has it historically been used for an activity on the HAIL? ☑ Yes ☐ No

More Information can be found by visiting Council's Website www.fndc.govt.nz

8. Checklist (please tick the box if information is provided)

☑ Payment (cheques should be made payable to the Far North District Council)

☑ A current Certificate of Title (Search Copy should not be more than 6 months old) with any listed encumbrances e.g. Consent Notices, Covenants and Easements

☑ Site Plan showing location and dimensions of all property boundaries, existing and/or proposed buildings, locations of any watercourses, contours, proposed fill disposal area, depths of cut or fill faces, earthworks volume, cross section through earthworks area, proposed erosion and sediment control measures, proposed retaining walls.

☐ Chartered Professional Engineer Report (if required)

Please Note: All drawings and plans should be labelled, numbered and dated and drawn to a recognised metric scale e.g. 1:200; 1:100

Two copies of plans and any supporting documentation is required. Please note for copying and scanning purposes documentation should be unbound, single sided and no larger than A3 in size

Declaration: The information I have supplied with this application is true and complete to the best of my knowledge.

Name: Rochelle Jacobs

Signature:  Date: 17/04/2025

Rochelle

From: Swetha Maharaj <Swetha.Maharaj@fndc.govt.nz>
Sent: Tuesday, 24 September 2024 2:00 pm
To: Rochelle
Cc: Amit Nandi
Subject: Concept Development Meeting - 2025-50 - 23 Waipapa West Road Kerikeri

Hi Rochelle,

As discussed at the CDM yesterday, I have discussed the application with management.

It was noted in the discussion that with the information on hand:

- The consent notice was determined and included by the process of public notification and to vary or remove the consent notice, we may have to undertake the same process.
- As you requested, we discussed the permitted baseline as well, however it is likely that your proposal may not fall under the permitted threshold and it maybe a DA therefore it is unanticipated activity by FNDC.
- You also mentioned that as per your assessment the overall adverse effects are less than minor, however the proposal maybe in contrary of relevant Obs and Pols as well.
- I would also recommend to carefully review the definitions of Dwelling, Minor Res and Accessory building to determine what building you are establishing on site. However, depending on the location of this 'building', you may also breach setback etc.

Hope the above helps, let me know if you have any further questions.

Swetha Maharaj
Senior Resource Planner - Resource Consents Team 2
M 0274546645 | **P** +6494089407 | Swetha.Maharaj@fndc.govt.nz
Te Kaunihera o Te Hiku o te Ika | Far North District Council

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